



# Bengaluru's SWM Information Manual

## **PART I: Overview**

Bruhat Bengaluru Mahanagara Palike  
*Solid Waste Management*

*November 2017*





# Bengaluru's SWM Information Manual

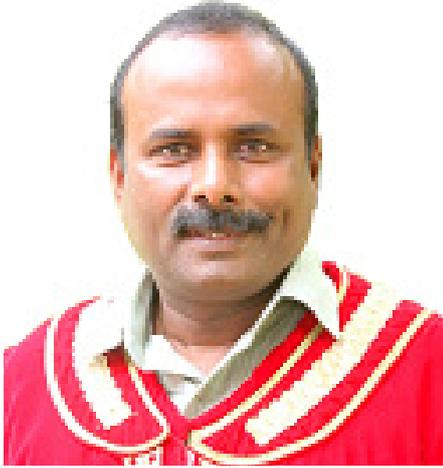
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## FOREWORD



**Sri. K Sampath Raj**  
Worshipful Mayor

It is a historic moment for Bangalore City with the formation of the Ward Committees, while upholding the 74th amendment of the Constitution, the BBMP has recognized and institutionalized the spirit of decentralization, allowing for collaborative and participative governance at the Ward Level.

I am confident that all the Ward Committees under the able chairmanship of the Ward Corporators, will rise up to the occasion and discharge their roles and responsibilities and bring in improvements, efficiency and transparency in the civic services especially with respect to solid waste management.

With the active involvement and participation of the Ward Committee, I look forward to every Ward taking up the challenge of setting up ward level waste management facilities and bringing in visible changes in the cleanliness of the Ward.

I welcome each and every one of the Ward Committees and extend the fullest co-operation from BBMP in our joint endeavour for a Clean Bengaluru.

**November 2017**



**Sri. N. Manjunath Prasad**  
Commissioner

BBMP has introduced many pioneering initiatives in the area of solid waste management and the introduction of this Micro Plan is another very important milestone in delivering effective and sustainable solid waste management in the City.

Further with the setting up of the Ward Committees and under their leadership , I am very confident that the Micro Plan and the Ward Plan for SWM facilities, will get implemented effectively bringing in real and visible changes in waste management as envisioned and planned .

In order to provide all possible support in the implementation of the Micro Plan and the Ward Plan for SWM facilities, this information booklet provides all the necessary general information regarding the SWM Rules, Act, High Court directions, Government Orders and Public Notifications .

For the first time a comprehensive compilation of the Ward planning with the support of digitized GIS maps giving a total breakdown of roads , vehicles and manpower deployed at the block level has been provided. Standards and Processes that have to be followed in the daily routines of waste management have also been clearly detailed and I am confident that this will greatly assist the Ward Committees in overseeing the effective functioning of waste management by the civic officials , staff and service providers.

BBMP is committed to effective Solid Waste Management with the support of the Ward Committees.

**November 2017**

# PRELUDE

The Solid Waste Management policy has been adopted by the BBMP , with the pioneering directions of the Honb'le HighCourt of Karnataka , guidance of the SWM Expert Committee and the enthusiastic involvement of the Citizens. Further the BBMP SWM Policy has been strengthened by the SWM Rules 2016 , again influenced by the Bangalore Model and the directions of the Honb'le High Court of Karnataka . The Central Government Swachh Bharath Mission further clearly defines the requirements of implementation . The progress of the Municipality in achieving requirements of the Policy is monitored by the Swachh Survekshan.

In the period from 2012 to 2016 the Bangalore SWM Model receiving the complete support of the State Government has to its credit a number of firsts in the area of Solid Waste Management

- 1) The First City to implement Segregation at Source through 3 way Segregation of Wet: Dry : Sanitary
- 2) The First City to have state of the art SWM Plants having a processing capacity of 2300 TPD
- 3) The First City to set up 198 Dry Waste Collection centres ( DWCCs)
- 4) The First City to identify Bulk Generators and the system of Empanelled Destinations/ Service Providers
- 5) The First City to promote Ward Level Composting and Bio Meth, Leaf Shredder facilities with the goal of minimizing long distance secondary transportation
- 6) The First State to ban the Single Use Plastic
- 7) The First City to enumerate and issue ID cards to 7500 Waste Pickers and further integrate them into SWM by entering into a

direct MOU with them for operation of the DWCCs

8) The installation of Bio Filters in the Composting Plant

9) And now, The First City to create a Ward Micro Plan and to have the Ward Committees prepare the ward level plan for SWM facilities .

## **HISTORIC DIRECTION BY KARNATAKA HIGH COURT TO BBMP ENSURE WARD COMMITTEES PREPARE WARD LEVEL SOLID WASTE MANAGEMENT PLAN**

In a historic decision by the Division Bench of Hon'ble High Court of Karnataka consisting of Justice Mr. B.S. Patil and Justice Mrs. B. V. Nagarathna, Bruhat Bengaluru Mahanagara Palike (BBMP) has been directed to ensure that Ward Committees constituted on 31st October 2017 in all the 198 wards of the city should meet by end of November in accordance with Section 13-H of the Karnataka Municipal Corporations Act, 1976. The Court further directed that during this first meeting each and every Ward Committee shall prepare a ward level plan to "ensure proper solid waste management and sanitation work in the ward and finalise location of new public sanitation units" as per Sec 13 (I) (i) of the Act. These plans will be consolidated into an Action Taken Report (ATR) by BBMP and placed on its website, and a report of progress will be produced in Court prior to the next date of hearing i.e. 8th December 2017.

Figure 1 : Quoted directive  
(Source: Environment Support Group, 2017)

# HONBLE JUSTICE B.S PATIL AND B.V.NAGARATHNA

10/11/2017 | Order in WP 24739/2012

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As per directions issued earlier in these writ petitions, particularly vide order dated 04.09.2017, Ward Committees have been constituted and in this regard, counsel for the respondent-Bruhat Bangalore Mahanagara Palike (BBMP) has filed the decision taken by the BBMP on 31.10.2017, which shows that Ward Committees have been put in place.

Petitioners have come up with suggestions that Ward Committees have to now discharge the twin task. Firstly of examining Ward Micro Plan prepared by the BBMP for each Ward with regard to solid waste management and secondly, to prepare a fresh plan depending on the needs of each Ward pertaining to solid waste management as per directions already issued by this Court from time-to-time (i.e. on 17.12.2015, 23.06.2016 and on other different dates).

In order to facilitate Ward Committees to effectively discharge their duties as per directions issued by this Court and in terms of obligations cast upon it under Section 13 I (h) of the Karnataka Municipal Corporations Act, 1976 so as to ensure proper solid waste management and sanitization in the respective Ward, the BBMP has to make available orders containing specific directions issued by this Court in these writ petitions from time-to-time by preparing booklets. The BBMP shall also make available the Ward Micro Plan prepared to each of the Wards. This exercise shall be completed within ten days from today. Thereafter, the BBMP shall ensure that Ward Committee Meetings are convened at ward-level on or before 30.11.2017.

We hope and trust that Ward Committees will engage themselves seriously in the task assigned to them under the provisions of the Municipal Corporations Act, 1976, particularly, Section 13 I, and also in terms of the Rules pertaining to Municipal Solid Waste Management Rules, 2016.

We also hope that respective Ward Committees will prepare action plan and submit action taken report to the BBMP in such meetings and the BBMP shall place before the Court substance of such decision taken, and action initiated, for perusal and further action by this Court prepared in a tabular form Ward-wise and the same shall also be uploaded in the BBMP website.

It is submitted by the petitioners that the BBMP has now resorted to dumping the solid waste in Quarries situated in Bagalur, Mittiganahalli, Bellahalli and other Quarries in those villages situated in the vicinity of Bengaluru City. According to the petitioners, this has resulted in serious health hazard to the residents of nearby villages located in the vicinity of said Quarries apart from resulting in several other problems.

Confronted with this, learned counsel appearing for the BBMP submits that now that Ward Committees have been constituted, the BBMP will come up with action plan to establish additional plants for managing wastes within the Wards by identifying suitable places.

We are of the view that this exercise has to be done on top priority and action plan in this regard furnishing details of additional plants to be established and its locations in different Wards has to be submitted by the BBMP by the next date of hearing, after furnishing a copy of the same to the petitioners.

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Re-list these matters on 08.12.2017.

A copy of this order be handed-over to learned counsel for the Corporation.

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# 1

## INTRODUCTION :

### *How to use this Manual ?*

#### 1.1. ABOUT THE MANUAL AND ITS FEATURES

This information manual has been developed in order to simplify the understanding of the Solid Waste Management (SWM) System that is set in place by BBMP, for Bengaluru City. It includes:

- A quick understanding of Solid Waste Management (SWM) in the Indian context
- States the aspirations of CLEAN BENGALURU and our road map to achieve it
- Important documents that provide the larger official mandate by MoUD, Swachh Bharat Mission, Karnataka Government and the Karnataka High Court
- Detailed data and information at ward level, which will help support and guide the implementation process on ground

## 1.2. STRUCTURE OF THE MANUAL

The manual has the following structure and addresses different target groups in its different sections:

### **PART I:**

This is the Introductory Manual that aims to promote an understanding of the Solid Waste Management (SWM) system along with its challenges and opportunities. It is for all stakeholders in the system, in order to help them understand Solid Waste Management, the City's CLEAN BENGALURU Program and relevant rules and regulations that govern the system. The manual will provide guidance to these stakeholders, to initiate necessary processes in aligning with achieving the City's goals. It is divided into 2 sections:

#### SECTION A:

An overview provides the salient features and SWM System especially for decision makers, elected office bearers, senior bureaucrats at different levels of governance, service providers and Citizen Volunteers. It provides decision makers with an understanding of Solid Waste Management, the rules and regulations governing the system and specifically explains the Strategy developed by the BBMP for setting up a Sustainable Solid Waste Management System for Bengaluru City.

#### SECTION B:

The Compendium, this comprises of national Rules and Guidelines, Karnataka High Court Directives, Government Orders, Council Resolutions and Notifications. This part of the manual is primarily for the BBMP officials, Ward Committees, operational staff, private operators, experts and training institutes, who need to understand in detail the different rules and mandates set forth by the Government.

### **PART II:**

This is the ward specific manual and is primarily for the BBMP officials, Ward Committee Members, Service Providers and Shuchi Mitras working within their wards. It focusses on 3 main aspects – Ward Micro Plan, Decentralised Processing Facilities and the Action Plan relevant to the respective ward. This section provides a detailed description of the Ward Blocks, technologies for treatment and processing of waste, schematic layouts, applicability of evolving technologies, and planning frameworks to undertake concrete measures toward streamlining the system of Sustainable Municipal Solid Waste Management at the Ward Level.



# SECTION A

## OVERVIEW

# 2

## UNDERSTANDING SWM

### 2.1. WHAT IS SOLID WASTE MANAGEMENT?<sup>1</sup>

Municipal Solid Waste (MSW) is the trash or garbage that is discarded day to day in a human settlement. According to the Municipal Solid Waste Management Rules (2016):

Solid waste means and includes solid or semi-solid domestic waste including 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, construction and demolition waste and treated biomedical waste excluding industrial hazardous waste, biomedical waste and e-waste generated in an area under urban local body.

*“Solid Waste Management (SWM) is a science associated with the management of solid waste using the best principles and practices of public health, economics, engineering, conservation, aesthetics and other environmental conditions.”*

An Integrated Solid Waste Management (ISWM) system is based on the waste management hierarchy (refer to Figure 2), with an aim to reduce the amount of waste being disposed, while maximising resource recovery and efficiency.

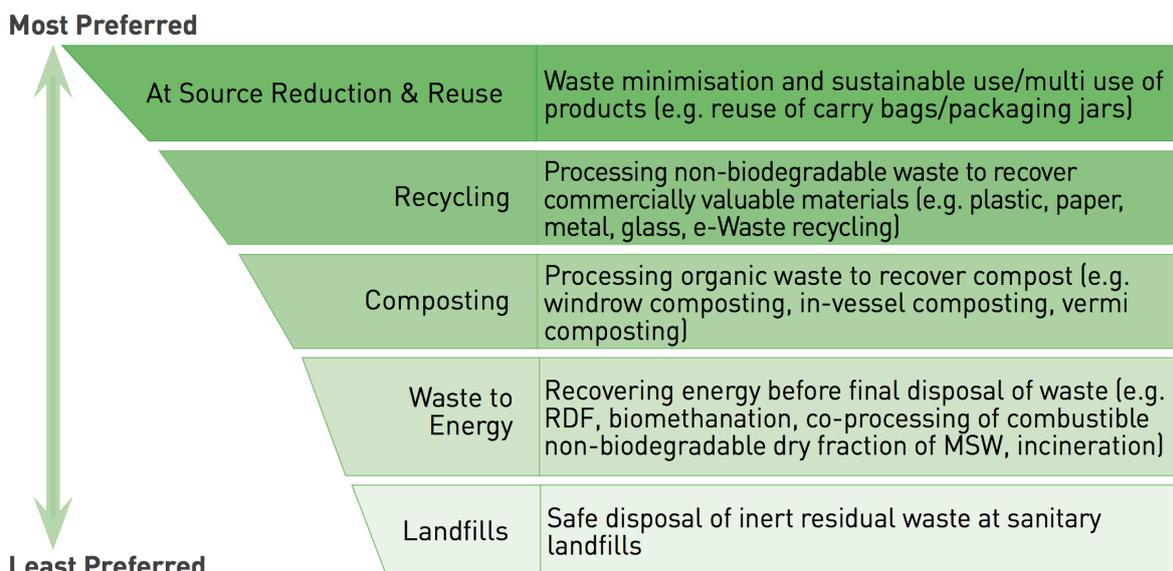


Figure 2 : ISWM Hierarchy<sup>1</sup>

1. Municipal solid waste management manual, 2016

## **2.2. THE 3 R APPROACH**

The 3R Approach is aimed at optimising MSW management from all the waste-generating sectors and involving all the stakeholders (waste generators, service providers, informal sector, regulators, government, and community or neighbourhoods). The adoption of 3R minimizes the waste being handled by the ULB, minimizing public health and environment risk associated with it.

### **2.2.1. REDUCE**

The concept of reducing what is produced and what is consumed is essential to the waste hierarchy. The logic behind it is simple to understand – if there is less waste, then there is less to recycle or reuse. The process of reducing begins with an examination of what you are using, and what it is used for.

### **2.2.2. REUSE**

Learning to reuse items, or re-purpose them for a use different than what they are intended for is the next essential thing in the waste hierarchy. Items may be reused for one's own use or donated so that others can use them.

### **2.2.3. RECYCLE**

The last stage of the waste hierarchy is to recycle. To recycle something means that it will be transformed again into a raw material that can be shaped into a new item. There are very few materials on the earth that cannot be recycled.

## 2.3. WASTE GENERATORS AND TYPES<sup>2</sup>

Based on the type of generator, MSW is classified into various categories, which are specified in Table 1 below:

<b>GENERATORS</b>	<b>CATEGORIES/TYPES OF WASTE</b>
<b>Domestic</b>	Household Waste-Kitchen, house cleaning, old papers, packing, bottles, crockery wares, furnishing materials, garden trimmings etc.,
<b>Commercial</b>	Waste generated at business premises, shops, offices, markets, departmental stores(paper, packing material, spoiled, discarded goods) organic, inorganic, chemically reactive and hazardous waste
<b>Institutional</b>	Schools, Colleges, Hospitals, large hotels and restaurants, markets selling vegetables, fruits, fish etc., community halls, religious places, function sites etc.,
<b>Street Sweeping</b>	Unconcerned throwing, littering made by pedestrian traffic, vehicular traffic, stray animals, roadside tree leaves, rubbish from drain cleaning, debris etc.,
<b>Industrial/Trade</b>	Waste generated through manufacturing and material processing.
<b>Debris/Construction</b>	Comprises earth, brickbats, stones, wooden logs etc.,
<b>Bio Medical</b>	Animal waste such as animal tissues, organs, body parts, carcasses, bleeding parts, fluid, blood, waste generated by veterinary hospitals, colleges, discharge from hospitals, animal houses and Microbiology/ biotechnology laboratories, Waste sharps viz., needles, syringes, scalpels, blades, glass etc. that may cause puncture and cuts. This includes both used and unused sharps etc.,
<b>Hazardous</b>	Waste with properties that make it dangerous or potentially harmful to human health or environment. Waste listed in Hazardous waste management rules 1989 - batteries, cleaning fluids, pesticides etc.)
<b>Sewage</b>	Sewage is the liquid waste containing some solids produced by humans which typically consists of washing water, faeces, urine, laundry waste and other material.

Table 1 : Waste generators and types

## 2.4. WASTE STREAMS<sup>3</sup>

Waste streams have been identified under the SWM Rules 2016, to be segregated at source and subsequently collected, transported & processed separately. These are defined in Table 2 below:

<b>WASTE STREAMS</b>	<b>DEFINITIONS</b>
<b>Biodegradable waste (wet)</b>	Means any organic material that can be degraded by micro-organisms into simpler compounds
<b>Dry waste</b>	Means waste other than biodegradable waste and inert street sweepings and include recyclable and non-recyclable waste, and combustible waste.
<b>Sanitary waste</b>	Means wastes comprising of used diaper, sanitary towels, napkins, condoms, incontinence sheets and any other similar waste.
<b>Domestic Hazardous waste</b>	Means discarded paint drums, pesticides cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc. generated at the household level.
<b>Inert waste</b>	Waste which are not biodegradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;

Table 2 : Definition of waste streams

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3. Municipal solid waste management manual, 2016

## 2.5. TECHNICAL ASPECTS

### 2.5.1 AT-SOURCE MINIMIZATION:

#### *Options to reduce the amount of waste*

The integrated solid waste management (ISWM) hierarchy prioritizes waste minimisation (at source reduction and reuse) because it is the most effective way to reduce the quantity of waste, the cost associated with its handling, and its environmental impacts.

Some of the ways this can be achieved are minimising use of packaging material, promoting use of refill containers, buyback of reusable or recyclable packing material, introducing a national deposit system on beverage packages, etc. and the scale at which the intervention needs to be initiated for effective implementation.

Waste minimisation strategies requiring national or state-level interventions or support are the following:

- Extended producer responsibility
- Promotion of voluntary action
- Frame rules and bye-laws
- Eco-labeling standards

Waste minimisation initiatives usually requiring ULB support or action are the following:

- Awareness and education programmes
- Developing and promoting at-source reduction programmes
- Bans within local authorities' jurisdiction
- Product stewardship and green procurement implementing programs
- Consumer reward
- Business assistance programs
- Supermarkets and retail stores

- Promoting material exchange and reuse programs
- “Pay as you throw”

## 2.5.2. COLLECTION, TRANSPORTATION AND PROCESSING SYSTEM

MSW should be stored at the source of waste generation until it is collected for disposal by ULB staff or appointed contractors/agencies/organisations. It is essential to segregate waste into different fractions, commonly referred to as primary segregation.

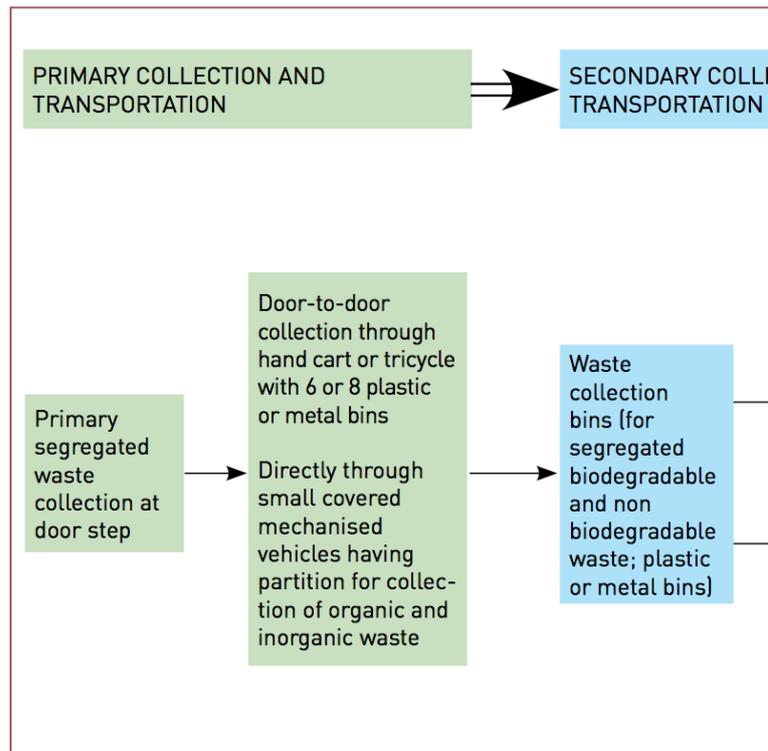


Figure 3: Flowchart of household waste collection, transportation and disposal

### 2.5.2.1. SEGREGATION AT SOURCE

Segregated collection of wet and dry waste enhances the potential of cost-effective treatment of such waste and of deriving optimum advantage from the recyclable material fed into the system.

At a minimum level, indicated as the basic segregation, waste should be segregated by waste generators into three fractions:

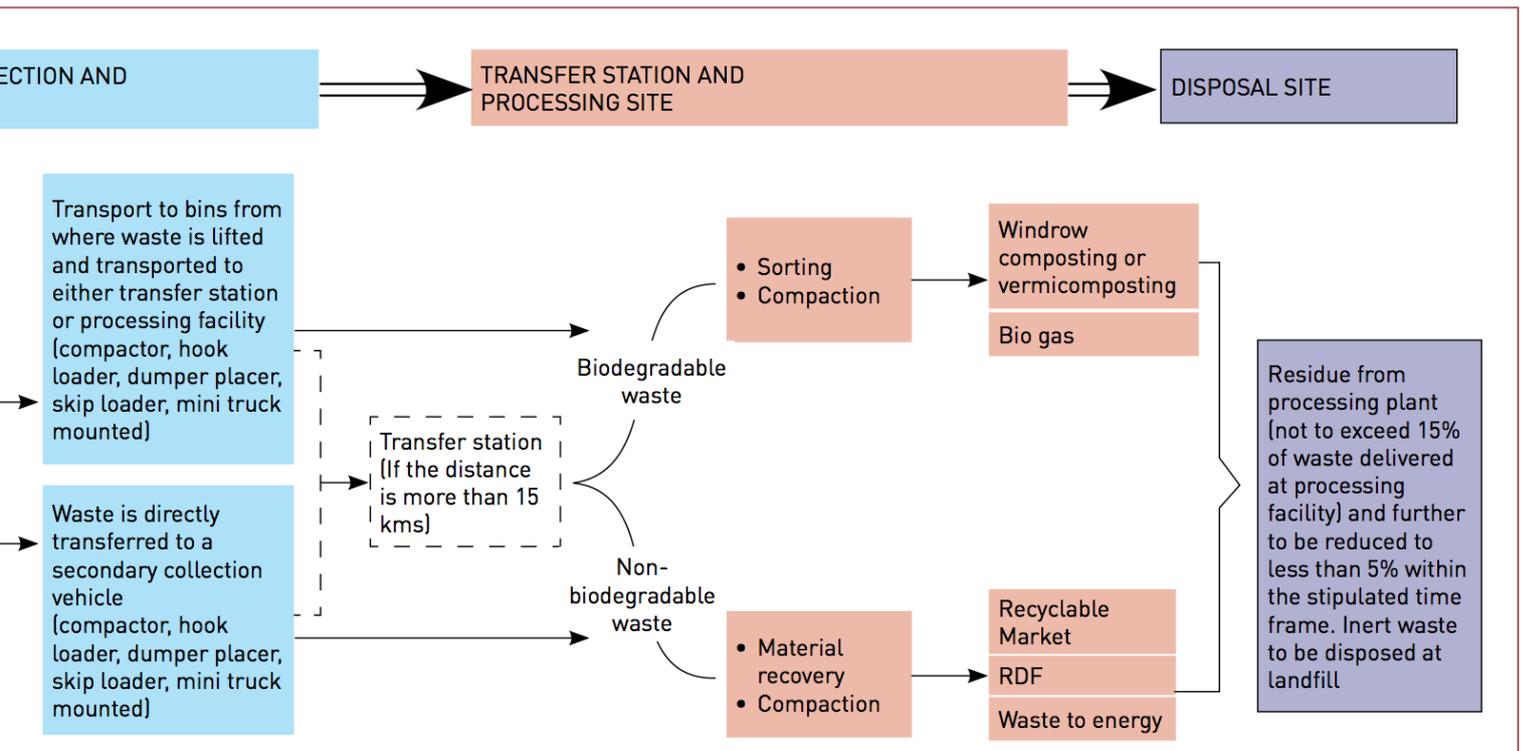
- **wet** (green container),
- **dry** (white container), and
- **domestic hazardous waste**.

This is referred to as the three-way segregation system.

### 2.5.2.2. COLLECTION AND TRANSPORTATION

Primary collection refers to the process of collecting waste from households, markets, institutions, and other commercial establishments and taking the waste to a storage depot or transfer station or directly to the disposal site, depending on the size of the city and the prevalent waste management system.

Secondary collection includes picking up waste from community bins, waste storage depots, or transfer stations and transporting it to waste processing sites or to the final disposal site.



### 2.5.2.3. STREET SWEEPING

Street cleaning is an age-old fundamental service rendered by municipal authorities in India to ensure clean and hygienic urban conditions. A wide variety of tools and equipment are available for manual and mechanical sweeping.

It is very important to ensure that street sweeping and drain cleaning material are not allowed to be mixed with the waste collected from households and commercial establishments, as it can seriously hamper treatment and recycling options for the household and commercial waste and add to the cost of processing of waste.

### 2.5.2.4. PROCESSING AND DISPOSAL

The selection and adoption of MSW processing technologies is based on defined selection criteria and subject to a detailed due diligence study, which ascertains the appropriateness of the technology to the prevailing conditions of the respective ULB. Some of the facilities are

- Windrow composting
- Vermicomposting
- Biomethanation
- RDF
- Incineration
- Integrated system
- Sanitary landfill

## **2.6. ROLE OF CENTRAL, STATE & LOCAL GOVERNMENTS**

While the onus of providing MSWM services in urban areas lies with the ULBs, central and state governments have a significant role to play in defining the framework within which service provision can be planned and executed by ULBs. The following are prescribed authorities and their roles in relation to ensuring the implementation of the provisions of the SWM Rules, 2016.

### **2.6.1. CENTRAL GOVERNMENT**

- Ministry of Environment, Forest & Climate Change (Reviewing SLBs)
- Ministry of Urban Development (Reviewing SLBs)
- Department of Fertilisers, Ministry of Chemicals and Fertilisers (Market linkage - subsidy)
- Ministry of Agriculture (Market linkage - subsidy)
- Ministry of Power (Market linkage - subsidy)
- Ministry of New and Renewable Energy Sources (Market linkage - subsidy)
- Central Pollution Control Board (Monitoring and buffers)

### **2.6.2. STATE GOVERNMENT**

- Secretary-in-charge, Urban Development in the States and Union territories (Reviewing SLBs)
- State Pollution Control Board or Pollution Control Committee (Monitoring and buffers)

### **2.6.3. DISTRICT OR REGION**

- District Magistrate or District Collector or Deputy Commissioner (Reviewing SLBs)

### **2.6.4. MUNICIPAL AUTHORITIES**

- Local authorities and village Panchayats (Plan and execution)

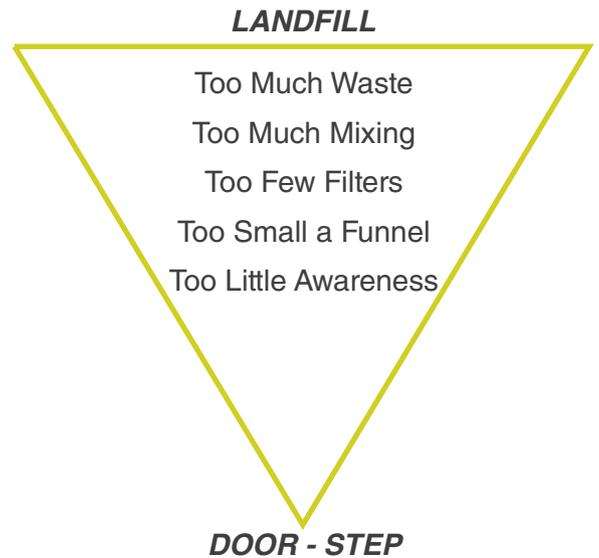
# BENGALURU'S SYSTEM

## 3.1 BACKGROUND

Spanning an area of 709 sq.km., divided into 198 wards and with a population of over 10 million, Bengaluru stands as the third most populous city in India. It has seen rapid urbanisation with its population doubling in a span of just 20 years, from 4.13 million in 1991 to a whopping 8.42 million in 2011 (Census, 2011). Though the city grew to embrace a successful and thriving IT economy, it led to an urban chaos, pushing the waste system close to its breaking point.

The closure of the Mavallipura landfill by the Karnataka State Pollution Control Board (KSPCB) in 2012, following the protest by the villagers of Mandur, the directives issued by the Hon'ble High Court of Karnataka and on the recommendations and guidance of the Expert Committee, has led towards the setting up of a Sustainable Solid Waste Management Plan by the BBMP. The new approach has therefore been focused on setting forth a plan that inverts the pyramid (refer Figure 4) and shifts towards 'A Future with No Landfills'.

### THE LANDFILL CRISIS



### INVERTING THE PYRAMID

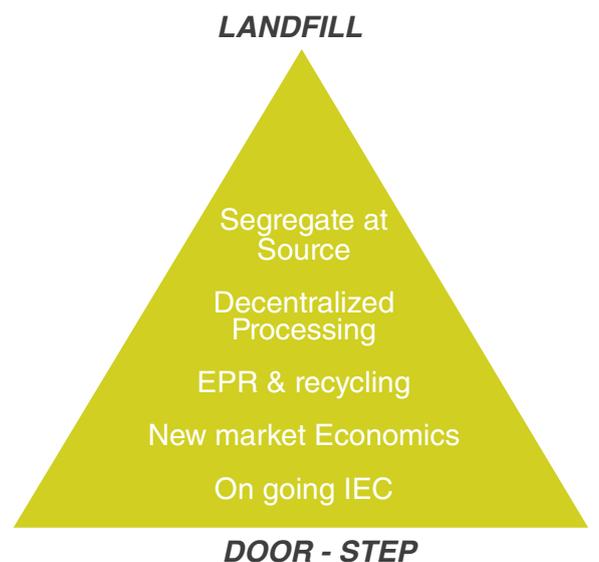


Figure 4: The Landfil Crisis

## 3.2 WASTE GENERATION

As per the assessment and quantification of municipal solid waste generation carried out by BBMP in the year 2016, the waste generation rate in BBMP area is approximately 564 grams/capita/day (refer Table 3). The cities generation of approximately 5760 TPD includes 64% wet waste, 28% dry waste, 3% domestic hazardous waste and 6% inert waste (refer Table 4).

<b>BBMP Population (2016)*</b>	10,207,063
<b>Per capita generation</b> (G/CAPITA/DAY)	0.564
<b>Total Waste Generation</b> (TPD) (APPROX.)	5760

Table 3: Waste generation in Bengaluru City  
\* BDA Masterplan 2031

<b>STREAMS</b>	<b>TOTAL</b>	<b>WET</b>	<b>DRY</b>	<b>DOMESTIC HAZARDOUS</b>	<b>REJECT/INERT</b>
Waste generation (Small residential, commercial and street sweeping)	4278.12	2669.04	1175.87	149.03	284.18
Waste generation (Bulk generators)*	1480.05	1018.15	423.03	12.07	66.82
<b>TOTAL WASTE GENERATION</b>	<b>5758.17</b>	<b>3687.19</b>	<b>1598.90</b>	<b>161.10</b>	<b>351.00</b>
Percentage of waste stream-wise		64%	28%	3%	6%

Table 4: Stream and generator-wise break up of Waste Generation in Bengaluru  
\* As defined and classified by the HC Directive and BBMP notification

Note: this break-up is based on the Time and Motion Study (2015) and the overall quanta has been ratified by data received through on-ground collection and transportation of waste.

## 3.3 THE CITY STRATEGY

The city has adopted a 3 part strategy for its Solid Waste Management System:

### Strategy 1:

Decentralised Processing of Waste by Stream

### Strategy 2:

Bulk generators to manage their own waste

### Strategy 3:

Creating a Ward Micro Plan for management and execution of SWM Services

These strategies are further elaborated on below:

### 3.3.1. DECENTRALISED PROCESSING OF WASTE BY STREAM

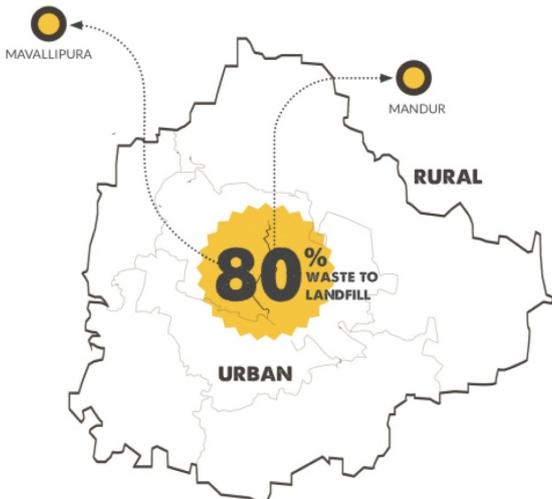
In order to reduce the burden of unscientific handling of large volumes of MSW, the city has opted to shift from a centralised 'single stream' collection and 'Landfill disposal' system to a decentralised 'multiple stream' collection and scientific 'Processing' system.

Based on the stream of waste and its generation, the appropriate method of treatment/technology and the scale of locating the units (Ward/Division/Zone/City level) are selected. The different types of units set up by BBMP with respect to various streams and the scales are listed in Table 5 and a figurative illustration of the same is shown in Figure 5. (refer Table 5).

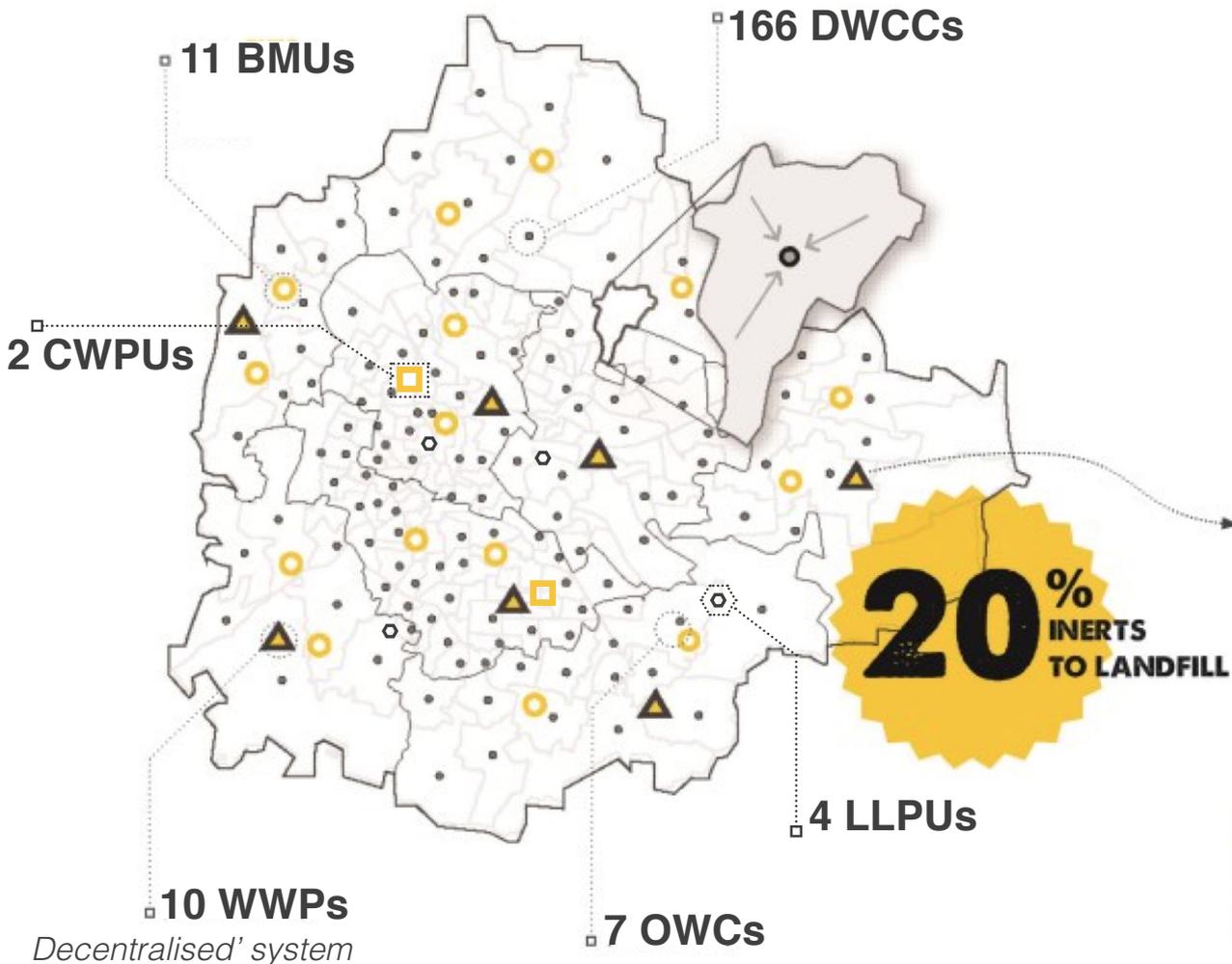
UNIT TYPE	DESCRIPTION
<b>Dry Waste Collection Centres (DWCC)</b>	DWCCs facilitate the stream lining of the entire process of waste management in the city, by concentrating exclusively on dry waste. They are equipped with appropriate infrastructure capable of purchasing, collecting, aggregating and processing both high value and low value dry waste such as plastics, paper, glass, tetra-packs, etc.
<b>Aggregators</b>	An aggregator is a storage facility which is equipped to receive low value waste from dry waste collection centre.
<b>Bio-Methanation Unit (BMU)</b>	Bio-methanation is the anaerobic digestion of organic waste in an enclosed space under controlled conditions of temperature, moisture, pH, etc. The overall performance of the unit is greatly influenced by the input feed specification, and the plant requires segregated wet waste (example hotel waste and market waste). The process converts the waste into bio-gas that can be used as fuel for households, automobiles and lighting
<b>Organic Waste Converted (OWC)</b>	OWC plant works on the principle of Aerobic Microbial decomposition of solid waste into compost. This is a Bio Mechanical process which produces a homogeneous odour free output.
<b>Leaf Litter Processing Unit (LLPU)</b>	Leaf litter from parks and nearby streets are composted naturally in pits through aerobic microbial decomposition. Shredding of branches & twigs, along with a mulching process to decompose leaves, collected separately in neighbourhoods is gaining momentum. This compost is then filtered through the sieving machine to result in fine compost. The compost is used as manure for gardening and agriculture.
<b>Coconut Waste Processing Unit (CWPU)</b>	Coconut waste processing unit receives coconut and sugarcane waste. The waste received is shredded, dried and compacted to create briquettes and pellets of superior quality, that are being used as alternate fuel to fossil fuels.
<b>Sanitary Waste Processing Units</b>	The segregated domestic hazardous waste (including Sanitary Waste) will be collected from DWCCs and processed by existing biomedical waste processing agencies. The facilities include incinerators, Autoclaves, Shredders and Effluent Treatment Plants to scientifically dispose this waste.
<b>Waste Processing Plants (WPP)</b>	These Integrated waste processing plants separate the municipal solid waste into very specific remainder fractions, allowing optimal recycling and/or energy recovery of each specific waste stream. The organic fraction of the waste is sent to an aerobic or anaerobic process for recycling through composting. The non-organic fraction that can further be recycled (received after mechanical and manual sorting) is sent to the aggregator yard for sorting and bailing. The remaining coarse rejects from composting is then proposed to be landfilled scientifically.
<b>Sanitary landfills</b>	The final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion.

Table 5: Stream-wise Processing Units & their details

	WASTE STREAM	SCALE	EXISTING NO. OF UNITS	PROPOSED NO. OF UNITS
	Dry Waste	Ward-wise 10 TPD capacity planned	166	32
	Dry Waste	Zone-wise	1	17
	Wet Waste	Division-wise, primary identified for market waste	11	5
	Wet Waste	Sub-division wise	7	57
	Leaf / Garden Waste	1 per Ward, located in parks	4	194
	Coconut Waste	Zone-wise	2	6
	Domestic Hazardous Waste	City-wise	3	NA
	All Waste	Zone/City-wise	9	5
	Reject & Inert Waste	City-wise	3	NA



Centralised' system



Decentralised' system

Figure 5: Decentralised processing by stream - shift from from centralised landfills



Figure 6: Dry Waste Collection centre  
Ward no.: 44



Figure 7: Bio-methanation unit  
Ward no.: 139



Figure 8: Organic Waste Converter  
Ward no.: 168



Figure 9: Leaf Litter Processing Unit  
Ward no.: 151



Figure 10: Coconut Processing Unit  
Ward no.: 168



Figure 11: Waste Processing Unit (windrow composting)

### 3.3.2. BULK GENERATORS MANAGING THEIR OWN WASTE

Bulk Generators contribute to 25% of the city’s waste (refer Figure 12) and have been separated from the regular collection cycle. They include domestic generators - apartment complexes with more than 50 units and Commercial bulk generators viz hotel/ restaurant, clubs, factory, choultry, mall, shop-ping complex, marriage halls, convention hall, place of worship, institution, office establishment, railway stations, bus stand or any other commercial or public entity which accumulates MSW of a quantity not less than 10 kg per day.

As per BBMP notification of 25/07/2013, BBMP mandates Bulk Generators to segregate waste into different categories and manage their waste either in-situ or to utilize the services of BBMP Empanelled Service Providers.

To enable and support the same, the BBMP has set up a portal for the Bulk Generator Network Service and a Vendor Empanelment, under the program name ‘KASA VILAVAARI SEVADARARU’.

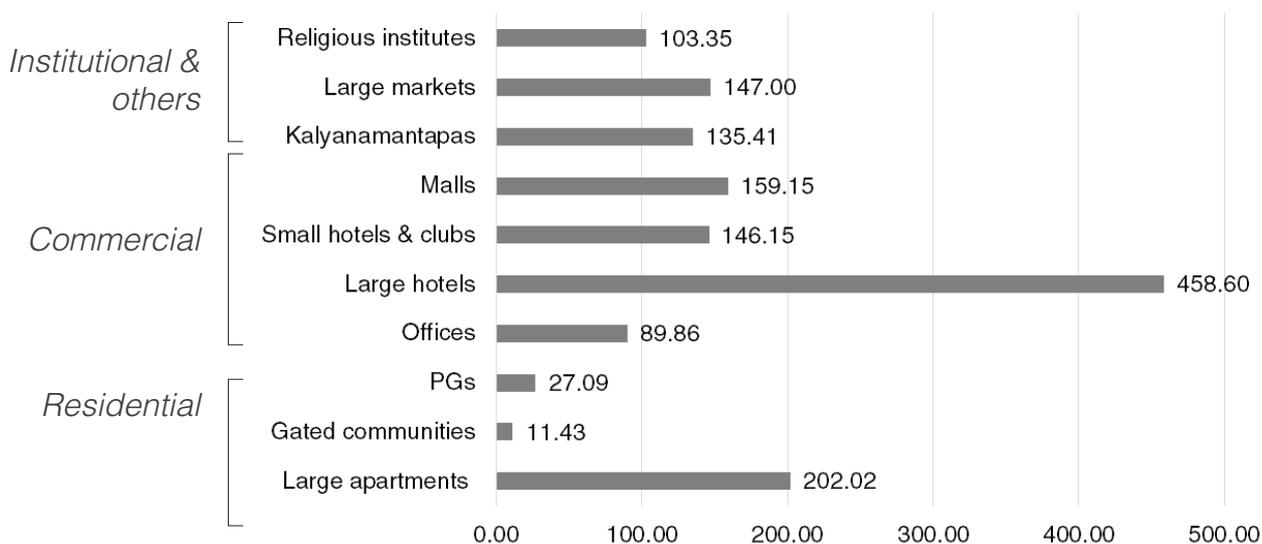


Figure 12: Bulk Waste Generators and their contribution to the city's waste

### 3.3.3. CREATING THE WARD MICRO PLAN

The Micro-plan was first piloted and tested in Yelahanka Zone and is now been scaled up to the city level. A Micro Plan is a process of creating a solid waste management plan for the smallest unit of management, by splitting the Ward into Blocks (750 Households + small commercial est.). The process includes:

- Provision of Ward wise Block map provided by BBMP and made available via the BBMP website
- Identification of willing block residents (two per block) to volunteer as Shuchimithras, to create door to door awareness and improve the quality of segregation at source
- Allotment of one Auto Tipper for the block with the details of the Vehicle and driver given to the block residents Geo fencing the block and tracking the Auto tipper to ensure reliable and timely collection
- Scheduling Block wise pick up of Dry waste twice a week by the Ward Dry Waste Collection Centre
- Proper street sweeping
- Empowering the Shuchi Mithras to monitor the collection through phone apps and report non-compliance in their block The Micro-Plan has been launched City-wide on February, 1st, 2017.

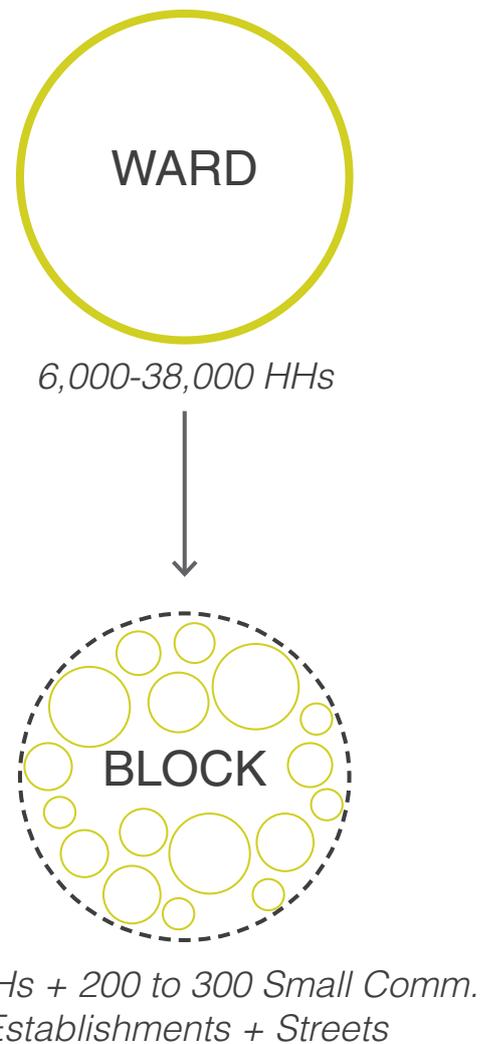


Figure 13 : Scale of the block- Wsmallest unit of waste management

### 3.4. ORGANIZATIONAL STRUCTURE

#### 3.4.1. BBMP SWM CELL

In order to streamline the planning, operations and management of the SWM System, BBMP has developed a Solid Waste Management Cell. The intent of setting up the Cell is to continually strive to protect public and environmental

health of our city by providing quality waste management services which are integrated, inclusive and efficient. The SWM Cell (Figure 14) has a two level structure- At the Head Office and at the Zonal Level.

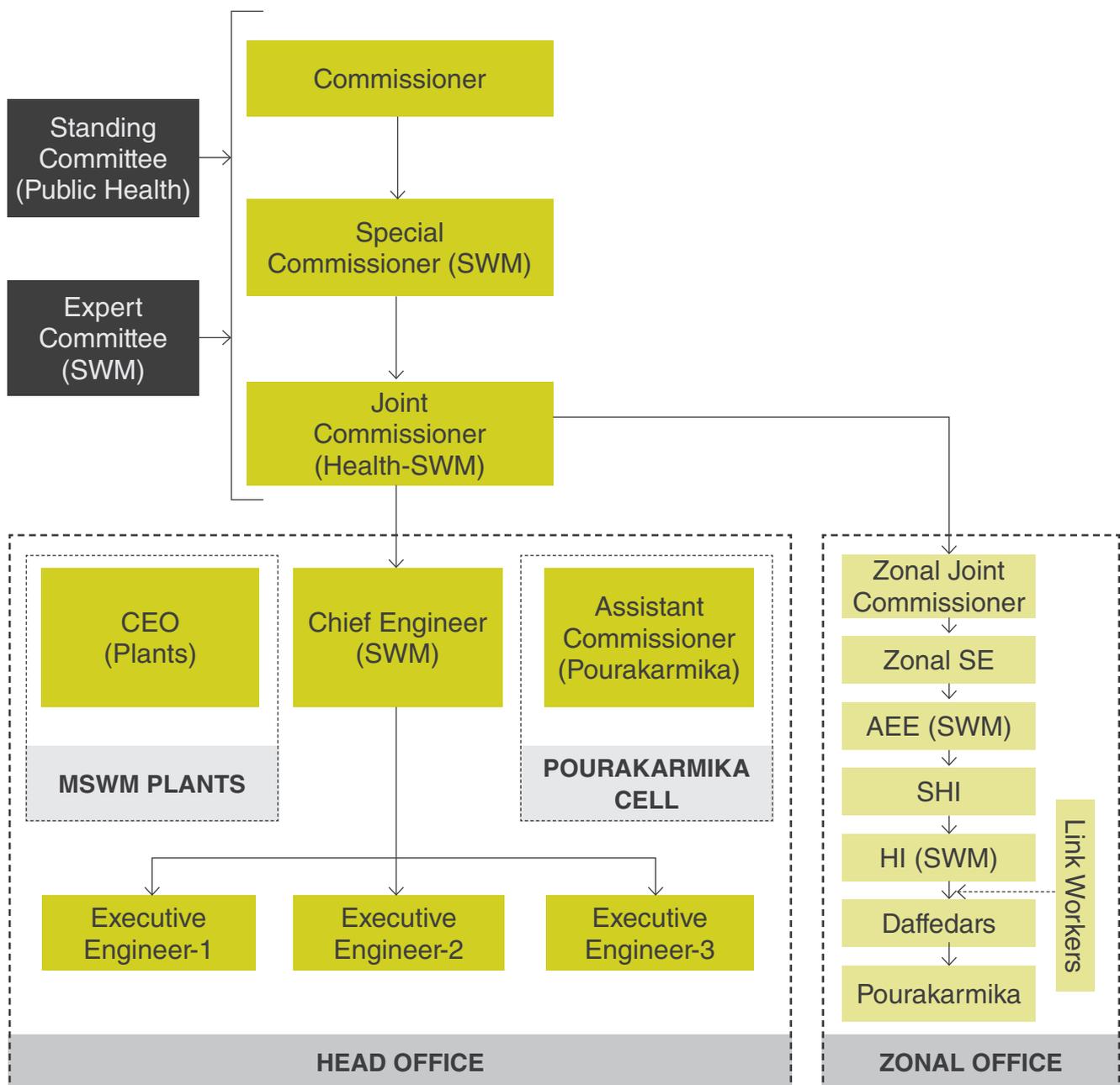


Figure 14: BBMP SWM Cell structure

### 3.4.2. WARD COMMITTEES

As per the Karnataka ACT No. 3 of 2011, KMC (Amendment) Act, 2011; there shall be Ward Committees constituted for each ward in the corporation. The structure of the Ward Committee is as shown in Figure 15, the

mentioned act (Refer 4.3) and rules (Refer 4.1) are attached in Section B (Refer 4.3) and the Rules.

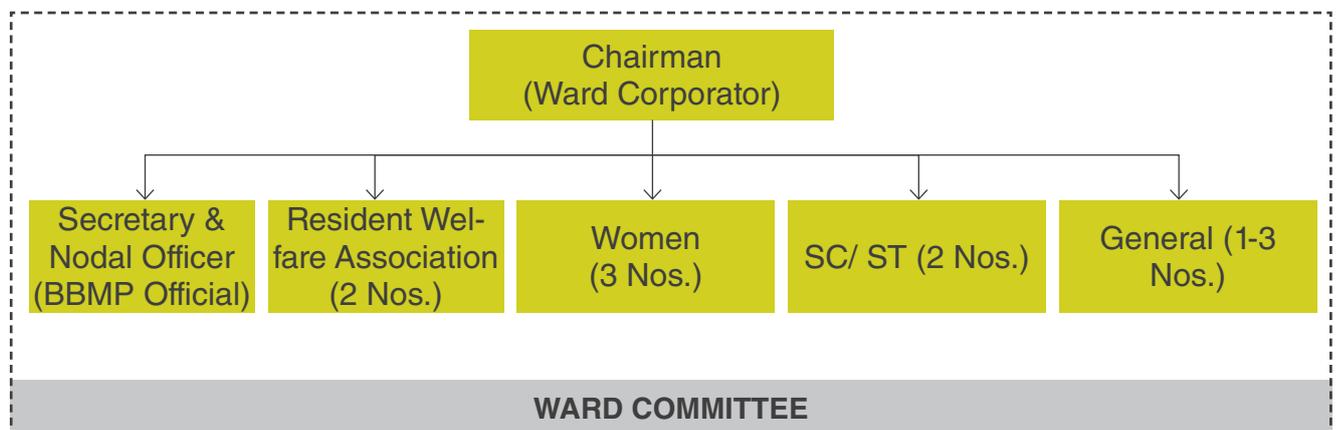


Figure 15: Ward committee structure

### 3.4.3. CITIZEN PARTICIPATION PROGRAM

Creating Citizen Participative Structures for Effective Micro /Macro SWM Planning and implementation through Citizen Participation at every Level through Civic Wardens (Master Trainers, Zone Co-ordinators, Ward Co-ordinators and Shuchimithras)



Figure 16: Citizen Participation program structure

# **SECTION B**

## COMPENDIUM

# 4

# THE SWM MANDATE

## 4.1. RULES AND REGULATIONS

These include all the Rules and Regulations that have been established at the National and State Level. These are listed below and subsequently attached with in this section:

4.1.1. Ward Committee Rules

4.1.2. Solid Waste Management Rules, 2016

4.1.3. Plastic Waste (Management and Handling) Rules, 2016

4.1.4. Construction & Demolition Waste Management Rules, 2016

4.1.5. E-waste (Management) Rules, 2016



## **4.1.1. WARD COMMITTEE RULES**



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬಿಶೇಷ ರಾಜ್ಯ ಪತ್ರ

ಭಾಗ-IVA	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ಜೂನ್ ೨೨, ೨೦೧೬ (ಅಷಾಢ ೧, ಶಕ ವರ್ಷ ೧೯೩೮)	ನಂ. ೮೫೬
Part-IVA	Bengaluru, Wednesday, June 22, 2016 (Ashada 1, Shaka Varsha 1938)	No. 856

## URBAN DEVELOPMENT SECRETARIAT

### NOTIFICATION

No. UDD 507 MNY 2012, Bengaluru, Dated: 22-6-2016

Whereas, the draft of the Karnataka Municipal Corporations (Ward Committee) Rules, 2015 was published as required by sub-section (1) of section 421 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) in Notification No.UDD 507 MNY 2012, dated: 26.05.2015 in Part-IVA of the Extra-ordinary Gazette, No.612 dated: 26.05.2015 inviting objections and suggestions from all persons likely to be affected thereby from thirty days from the date of its publication in the official Gazette.

And whereas, the said Gazette was made available to the public on 26.05.2015.

And whereas, the objections and suggestions received have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 13K read with section 421 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), the Government of Karnataka hereby makes the following rules, namely:-

### RULES

**1. Title and commencement.-** (1) These rules may be called the Karnataka Municipal Corporations (Ward Committee) Rules, 2016.

(2) They shall come into force from the date of their publication in the official Gazette.

**2. Definitions.-** In these rules, unless the context otherwise requires,-

- "Act" means the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977);
- "Chairperson" means Chairperson of the ward committee.
- "Clear day" means days excluding Sundays and public holidays;
- "Member" means a member of the Ward Committee;

- (e) "Secretary" means an officer designated by the Commissioner under sub-section (4) of section 13H of the Act.
- (f) "Section" means section of the Act;
- (g) "Urgency" means urgency due to natural calamities, outbreak of deceases or fire.

**3. Functions of the Ward Committee.-** (1) The Ward Committee shall discharge the functions as specified in section 13-I of the Act.

Provided that, the Ward Committees may recommend to the Corporation for the disciplinary action on those officers who fail to carry out the resolutions of the Ward Committee which are in accordance with rules subject to availability of funds.

**4. Functions of the Secretary.-**(1) The Secretary shall,-

- (a) be responsible for preparing the agenda of the meeting in consultation with chairperson and also sign the agenda to be transacted in the meeting;
- (b) issue notice to the members and officers for the upcoming meeting including special invitees, if any;
- (c) have custody of all papers and documents connected with the proceedings of the meeting of the Ward Committee;
- (d) attend every meeting of the Ward Committee and take part in the proceedings but shall not be entitled to vote;
- (e) furnish his opinion or any clarification in respect of any resolution or any question that arises in the meeting;
- (f) forward all resolutions of the Ward Committee to the Concerned Authorities for necessary action.
- (g) shall ensure follow-up action on all resolutions of the ward committee and provide an Action Taken Report at every Ward Committee meeting on the resolutions passed at the previous meeting.
- (h) be responsible for the protection of the property that belongs to the Corporation.
- (i) Provide the necessary information to the ward committee, if the ward committee desires, on all Government schemes which fall in the ambit of the function of the Ward Committee.
- (j) endeavour to furnish the information related to the ward
- (k) committee in the public domain.

(2) The Commissioner shall make available to the Ward Committee through the Secretary the following information, namely:-

- (i) Decisions of the Standing Committee;
- (ii) Decisions or resolutions of the Council;
- (iii) ward-wise budgetary allocation made, if any, by the Corporation or any of the Standing Committee;
- (iv) copy of the Ward maps,
- (v) details of the Corporation properties ward-wise,

- (vi) information on revenue streams; and
- (vii) information which is needed for the proper functioning of the ward committee as per section 13-I.

**5. Calling of the ward committee meeting and Preparation of Agenda for the meeting.-**

(1) The Chairperson of the Ward Committee shall endeavour to fix a particular day in a month for the meeting and shall be made known to the public. However, the meeting of the ward committee shall not be held on the day of the council meeting or on the day of meeting of any standing committee of the Corporation.

(2) In case the Chairman fails to call a meeting in a month, or if one third of the Ward Committee members feel the need to call for a meeting, the Chairperson shall, on the requisition in writing of not less than one third of the members of the Ward Committee, convene a meeting of the Ward Committee provided the requisition calls attention to the fact that a monthly meeting has not been called or specifies the purpose for which the meeting is to be held.

(3) The meeting shall not be held unless a clear Seven Clear days notice along with the agenda for the meeting is circulated in advance to all the members. However, in case of urgency the meetings shall be convened within 48 hours by serving proper notice or communication to all the members.

(4) Every notice of the meeting shall be issued by the Secretary of the Committee. The notice shall be exhibited in all prominent public offices with the ward such as Water Supply Office, Electric Supply Office, Public Health Centres, etc.

(5) Steps are to be taken to ensure that a Link is created on the Corporation website for each ward and all meeting notices and agenda for the meetings are published on it in the timely manner.

(6) In cases of Urgency the reasons may be explicitly mentioned in the Urgent meeting notices.

(7) Members may give suggestions to the secretary on the meeting agenda one week prior to the issuing of meeting notice. The Secretary shall bring the suggestions to the notice of the chairperson.

**6. Procedure for transaction of business of the Ward Committee.-** (1) The Chairperson in consultation with the Commissioner keeping in view of the public participation choose a suitable place of the meeting. The place of the meeting as far as possible shall be in the ward office premises or place adjacent to the ward office of the concerned ward. If the ward office premises are insufficient for this purpose, alternative venues such as Government schools or public spaces proximal to the ward office, may be utilized.

(2) Any citizen may approach the chairperson or any of the member for addressing any issues related to public and ward development. If there no improvement, then it is open for such citizen to file a complaint before the commissioner giving all particulars and also explaining in the action on the part of the chairperson and the members.

(3) Quorum for conducting the Ward meeting shall be 1/3 of the total members of the Committee.

(4) No member shall take part in the discussion of any question coming up for consideration at the meeting if, the question is one in which he has any direct or indirect pecuniary interest by himself or his Partner.

(5) All the meetings of the Ward Committee shall be open to the public.

(6) Minutes of the meeting shall be recorded. Videography of the meeting may be allowed for the public also.

(7) Links shall be created on the Corporation website for each ward and all notices and minutes of the meetings shall be published in a timely manner.

(8) The Chairperson shall establish a Disaster Management Cell at Ward Level.

**7. Accounts and Audit of the Ward Committee.-** (1) The accounts of all receipts and expenditure of the Ward Committee for the purpose of conduct meetings and discharge of their function shall be given by the Financial rules made under section 151 of the Act.

(2) Annual Reports shall be prepared by the Secretaries of the respective wards for every financial year and submit the same to the Commissioner before the month of August of the succeeding Financial year.

**8. Repeal and savings.-** The Karnataka Municipal Corporations (Ward Committee) Rules, 1997 shall be repealed with immediate effect.

Provided that such repeal shall not affect, the previous operation of the said rules or anything duly done or any action taken thereunder; or any right, privilege, obligation or liability acquired, accrued or incurred under the said rules.

By Order and in the name of the Governor of Karnataka,

**N.Narasimhamurthy**  
Under Secretary to Government (I/c)  
Urban Development Department



## **4.1.2. SOLID WASTE MANAGEMENT RULES, 2016**

नगरपालिकाओं की कुल संख्या:

प्रस्तुत की गई कार्य योजना की संख्या:

**प्ररूप-VI**

**[नियम 25 देखें]**

**दुर्घटना का प्रतिवेदन**

1.	दुर्घटना की तारीख और समय	:	
2.	दुर्घटना के लिए कारकों का अनुक्रम	:	
3.	दुर्घटना में शामिल अपशिष्ट	:	
4.	मानव स्वास्थ्य और पर्यावरण पर दुर्घटनाओं के प्रभावों का मूल्यांकन	:	
5.	किए गए आपातकालीन उपाय	:	
6.	दुर्घटनाओं के प्रभावों को कम करने के लिए उठाए गए कदम	:	
7.	ऐसी किसी दुर्घटना की पुनरावृत्ति को रोकने के लिए उठाए गए कदम	:	
तारीख .....		हस्ताक्षर .....	
स्थान .....		पदनाम .....	

[फा. सं. 18-3/2004-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**NOTIFICATION**

New Delhi, the 8th April, 2016

**S.O. 1357(E).**—Whereas the draft of the Solid Waste Management Rules, 2015 were published under the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number G.S.R. 451 (E), dated the 3<sup>rd</sup> June, 2015 in the Gazette of India, part II, Section 3, sub-section (i) of the same date inviting objections or suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the publication of the said notification on the Solid Waste Management Rules, 2015 in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000;

And whereas, copies of the said Gazette were made available to the public on the 3<sup>rd</sup> June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely:-

1. **Short title and commencement.-**

- (1) These rules may be called the Solid Waste Management Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Application.-** These rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

3. **Definitions** –(1) In these rules, unless the context otherwise requires,- (1) **“aerobic composting”** means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;

2. **“anaerobic digestion”** means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
3. **“authorisation”** means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
4. **“biodegradable waste ”** means any organic material that can be degraded by micro-organisms into simpler stable compounds;
5. **“bio-methanation”** means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
6. **“brand owner”** means a person or company who sells any commodity under a registered brand label.
7. **“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 total area allotted for the solid waste processing and disposal facility.
8. **“bulk waste generator”** means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
9. **“bye-laws”** means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
10. **“census town”** means an urban area as defined by the Registrar General and Census Commissioner of India;
11. **“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;
12. **“composting”** means a controlled process involving microbial decomposition of organic matter;
13. **“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;
14. **“co-processing”** means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500k/cal 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;
15. **“decentralised processing”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
16. **“disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
17. **“domestic hazardous waste”** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;

18. **"door to door collection"** means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises;
19. **"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;
20. **"dump sites"** means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
21. **"extended producer responsibility" (EPR)** means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;
22. **"facility"** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;
23. **"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
24. **"Form"** means a Form appended to these rules;
25. **"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;
26. **"inerts"** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;
27. **"incineration"** means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
28. **"informal waste collector"** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;
29. **"leachate"** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;
30. **"local body"** for the purpose of these rules means and includes the municipal corporation, nagar nigam, municipal council, nagarpalika, nagar Palikaparishad, municipal board, nagar panchayat and town panchayat, census towns, notified areas and notified industrial townships with whatever name they are called in different States and union territories in India;
31. **"materials recovery facility" (MRF)** means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity mentioned in rule 2 or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;
32. **"non-biodegradable waste"** means any waste that cannot be degraded by micro organisms into simpler stable compounds;
33. **"operator of a facility"** means a person or entity, who owns or operates a facility for handling solid waste which includes the local body and any other entity or agency appointed by the local body;
34. **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;
35. **"processing"** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;
36. **"recycling"** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products;
37. **"redevelopment"** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;

38. "**refused 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 ;
39. "**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;
40. "**sanitary land filling** " means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;
41. "**sanitary waste**" means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
42. "**Schedule**" means the Schedule appended to these rules;
43. "**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;
44. "**segregation**" means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;
45. "**service provider**" means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;
46. "**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 mentioned in rule 2;
47. "**sorting**" means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling;
48. "**stabilising**" 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;
49. "**street vendor**" means any 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;
50. "**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;
51. "**transfer station**" means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
52. "**transportation**" means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;
53. "**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;
54. "**user fee**" means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
55. "**vermi composting**" means the process of conversion of bio-degradable waste into compost using earth worms;
56. "**waste generator**" means and includes every person or group of persons, every residential premises and non residential establishments including Indian Railways, defense establishments, which generate solid waste;
57. "**waste hierarchy**" means the priority order in which the solid waste is to should be managed by giving

emphasis to prevention, reduction, reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;

58. “**waste picker**” means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

(2) Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (prevention and Control of Pollution) Act, 1981 shall have the same meaning as assigned to them in the respective Acts.

**4 Duties of waste generators.-** (1) Every waste generator shall,-

(a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non bio-degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorised waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;

(c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016; and

(d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

(3) All waste generators shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies.

(4) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, 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 the local body.

(5) Every street vendor shall keep suitable containers for storage of 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 the local body.

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, 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 the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorized 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 the local body.

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, 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 the local body.

**5. Duties of Ministry of Environment, Forest and Climate Change.-** (1) The Ministry of Environment, Forest and Climate Change shall be responsible for over all monitoring the implementation of these rules in the country. It shall constitute a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Environment, Forest and Climate Change comprising officer not below the rank of Joint Secretary or Advisor from the following namely,-

- 1) Ministry of Urban Development
- 2) Ministry of Rural Development
- 3) Ministry of Chemicals and Fertilizers
- 4) Ministry of Agriculture
- 5) Central Pollution Control Board
- 6) Three State Pollution Control Boards or Pollution Control Committees by rotation
- 7) Urban Development Departments of three State Governments by rotation
- 8) Rural Development Departments from two State Governments by rotation
- 9) Three Urban Local bodies by rotation
- 10) Two census towns by rotation
- 11) FICCI, CII
- 12) Two subject experts

2. This Central Monitoring Committee shall meet at least once in a year to monitor and review the implementation of these rules. The Ministry of Environment, Forest and Climate Change may co-opt other experts, if needed. The Committee shall be renewed every three years.

**6. Duties of Ministry of Urban Development.-** (1) The Ministry of Urban Development shall coordinate with State Governments and Union territory Administrations to,-

- (a) take periodic review of the measures taken by the states and local bodies for improving solid waste management practices and execution of solid waste management projects funded by the Ministry and external agencies at least once in a year and give advice on taking corrective measures;
- (b) formulate national policy and strategy on solid waste management including policy on waste to energy in consultation with stakeholders within six months from the date of notification of these rules;
- (c) facilitate States and Union Territories in formulation of state policy and strategy on solid management based on national solid waste management policy and national urban sanitation policy;
- (d) promote research and development in solid waste management sector and disseminate information to States and local bodies;
- (e) undertake training and capacity building of local bodies and other stakeholders; and
- (f) provide technical guidelines and project finance to states, Union territories and local bodies on solid waste management to facilitate meeting timelines and standards.

**7. Duties of Department of Fertilisers, Ministry of Chemicals and Fertilisers.-** (1) The Department of Fertilisers through appropriate mechanisms shall,-

- (a) provide market development assistance on city compost; and
- (b) ensure promotion of co-marketing of compost with chemical fertilisers in the ratio of 3 to 4 bags: 6 to 7 bags by the fertiliser companies to the extent compost is made available for marketing to the companies.

**8. Duties of Ministry of Agriculture, Government of India.-** The Ministry of Agriculture through appropriate mechanisms shall,-

- (a) provide flexibility in Fertiliser Control Order for manufacturing and sale of compost;
- (b) propagate utilisation of compost on farm land;
- (c) set up laboratories to test quality of compost produced by local authorities or their authorised agencies; and
- (d) issue suitable guidelines for maintaining the quality of compost and ratio of use of compost visa-a-vis chemical fertilizers while applying compost to farmland.

**9. Duties of the Ministry of Power.-** The Ministry of Power through appropriate mechanisms shall,-

- (a) decide tariff or charges for the power generated from the waste to energy plants based on solid waste.
- (b) compulsory purchase power generated from such waste to energy plants by distribution company.

**10. Duties of Ministry of New and Renewable Energy Sources-** The Ministry of New and Renewable Energy Sources through appropriate mechanisms shall,-

- (a) facilitate infrastructure creation for waste to energy plants; and
- (b) provide appropriate subsidy or incentives for such waste to energy plants.

**11. Duties of the Secretary-in-charge, Urban Development in the States and Union territories.-** (1) The Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of local bodies shall,-

- (a) prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the ministry of urban development, in a period not later than one year from the date of notification of these rules;
- (b) while preparing State policy and strategy on solid waste management, lay emphasis on waste reduction, reuse, recycling, recovery and optimum utilisation of various components of solid waste to ensure minimisation of waste going to the landfill and minimise impact of solid waste on human health and environment;
- (c) state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or informal waste collectors in the waste management system.
- (d) ensure implementation of provisions of these rules by all local authorities;
- (e) direct the town planning department of the State to ensure that master plan of every city in the State or Union territory provisions for setting up of solid waste processing and disposal facilities except for the cities who are members of common waste processing facility or regional sanitary landfill for a group of cities; and
- (f) ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the State or as the case may be, cities through metropolitan and district planning committees or town and country planning department;
- (h) direct the town planning department of the State and local bodies to ensure that a separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters;
- (i) direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility.
- (j) facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills;
- (k) arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source;
- (l) notify buffer zone for the solid waste processing and disposal facilities of more than five tons per day in consultation with the State Pollution Control Board; and
- (m) start a scheme on registration of waste pickers and waste dealers.

**12. Duties of District Magistrate or District Collector or Deputy Commissioner.-** The District Magistrate or District Collector or as the case may be, the Deputy Commissioner shall, -

- (a) facilitate identification and allocation of suitable land as per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules;
- (b) review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or Director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development.

**13. Duties of the Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory.-** (1) The Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory shall have the same duties as the Secretary-in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.

**14. Duties of Central Pollution Control Board.-**The Central Pollution Control Board shall, -

- (a) co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities;
- (b) formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;
- (c) review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required;
- (d) review through State Pollution Control Boards or Pollution Control Committees, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them;
- (e) review the proposals of State Pollution Control Boards or Pollution Control Committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;
- (f) monitor through State Pollution Control Boards or Pollution Control Committees the implementation of these rules by local bodies;
- (g) prepare an annual report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;
- (h) publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tons per day of solid waste;
- (i) publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules; and
- (j) provide guidance to States or Union territories on inter-state movement of waste.

**15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations.-** The local authorities and Panchayats shall,-

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs, fruit peel, wrappers, etc., or burn or burry waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed white and those for storage of other wastes shall be printed black;

- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on site processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation 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. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
- a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
- b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tones per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;

- (za) prepare and submit annual report in Form IV on or before the 30<sup>th</sup> April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31<sup>st</sup> May of every year;
- (zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) 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;
- (ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
- (i) not to litter;
  - (ii) minimise generation of waste;
  - (iii) reuse the waste to the extent possible;
  - (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
  - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
  - (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
  - (vii) storage of segregated waste at source in different bins;
  - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
  - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

**16. Duties of State Pollution Control Board or Pollution Control Committee.-** (1) The State Pollution Control Board or Pollution Control Committee shall,-

- (a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;
- (b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;
- (c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;

- (d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any;
- (e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised by local body stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;
- (f) synchronise the validity of said authorisation with the validity of the consents;
- (g) suspend or cancel the authorization issued under clause (a) any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated:  
provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and
- (h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance.

(2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation.

(3) In case of new technologies, where no standards have been prescribed by the Central Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified.

(4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year.

(5) The State Pollution Control Board or the Pollution Control Committee may give directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities.

(6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste.

**17. Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers.-** (1) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market shall provide necessary financial assistance to local authorities for establishment of waste management system.

(2) 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.

(3) 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.

(4) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

**18. Duties of the industrial units located within one hundred km from the refused derived fuel and waste to energy plants based on solid waste-** All industrial units using fuel and located within one hundred km from a solid waste based refused derived fuel plant shall make arrangements within six months from the date of notification of these rules to replace at least five percent of their fuel requirement by refused derived fuel so produced.

**19. Criteria for Duties regarding setting-up solid waste processing and treatment facility.-** (1) The department in-charge of the allocation of land assignment shall be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities and notify such sites by the State Government or Union territory Administration.

(2) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development.

- (3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee.
- (4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities.
- (5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time-
- (6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30<sup>th</sup> April to the State Pollution Control Board or Pollution Committee and concerned local body.

**20. Criteria and actions to be taken for solid waste management in hilly areas.-** In the hilly areas, the duties and responsibilities of the local authorities shall be the same as mentioned in rule 15 with additional clauses as under:

- (a) Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary landfill.
- (b) In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.
- (c) Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.
- (d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.
- (e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.
- (f) The department in- charge of the allocation of land assignment shall identify and allot suitable space on the hills for setting up decentralised waste processing facilities. Local body shall set up such facilities. Step garden system may be adopted for optimum utilisation of hill space.

**21. Criteria for waste to energy process.-** (1) Non recyclable waste having calorific value of 1500 K/cal/kg or more shall not be disposed of on landfills and shall only be utilised for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

- (2) High calorific wastes shall be used for co-processing in cement or thermal power plants.
- (3) The local body or an operator of facility or an agency designated by them proposing to set up waste to energy plant of more than five tones per day processing capacity shall submit an application in Form-I to the State Pollution Control Board or Pollution Control Committee, as the case may be, for authorisation.
- (4) The State Pollution Control Board or Pollution Control Committee, on receiving such application for setting up waste to energy facility, shall examine the same and grant permission within sixty days.

**22. Time frame for implementation.-** Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

Sl. No.	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	identification of suitable sites for setting up solid waste processing facilities	1 year

2.	identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more .	1 year
3.	procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source ,	2 years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	2 years
6.	ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	setting up solid waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	3 years
9.	setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	bio-remediation or capping of old and abandoned dump sites	5years

**23. State Level Advisory Body.** – (1) Every Department in-charge of local bodies of the concerned State Government or Union territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules comprising the following members, namely:-

Sl. No	Designation	Member
(1)	(2)	(3)
1.	Secretary, Department of Urban Development or Local self government department of the State	Chairperson, ex-officio
2.	One representative of Panchayats or Rural development Department not below the rank of Joint Secretary to State Government	Member, ex-officio
3.	one representative of Revenue Department of State Government	Member, ex-officio
4.	One representative from Ministry of Environment, Forest and Climate Change Government of India	Member, ex-officio

5.	One representative from Ministry of Urban Development, Government of India	Member, ex-officio
6.	One representative from Ministry of Rural Development, Government of India	Member, ex-officio
7.	One representative from the Central Pollution Control Board	Member, ex-officio
8.	One representative from the State Pollution Control Board or Pollution Control Committee	Member, ex-officio
9.	One representative from Indian Institute of Technology or National Institute of Technology	Member, Ex-officio
10.	Chief town planner of the state	Member
11.	Three representatives from the local bodies by rotation	Member
12.	Two representatives from census towns or urban agglomerations by rotation.	Member
13.	One representative from reputed Non-Governmental Organisation or Civil Society working for the waste pickers or informal recycler or solid waste management	Member
14.	One representative from a body representing Industries at the State or Central level	Member
15.	one representative from waste recycling industry	member
16.	Two subject experts	Member
17.	Co-opt one representative each from agriculture department, and labour department of State Government.	Member

(2) The State Level Advisory Body shall meet at least one in every six months to review the matters related to implementation of these rules, state policy and strategy on solid waste management and give advice to state government for taking measures that are necessary for expeditious and appropriate implementation of these rules.

(3) The copies of the review report shall be forwarded to the State Pollution Control Board or Pollution Control Committee for necessary action.

**24. Annual report.-** (1) The operator of facility shall submit the annual report to the local body in Form-III on or before the 30<sup>th</sup> day of April every year.

(2) The local body shall submit its annual report in Form-IV to State P Control Board or P Committee and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in -Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30<sup>th</sup> day of June every year

(3) Each State Pollution Control Board or Pollution Control Committee as the case may be, shall prepare and submit the consolidated annual report to the Central Pollution Control Board and Ministry of Urban Development on the implementation of these rules and action taken against non complying local body by the 31<sup>st</sup> day of July of each year in Form-V.

(4) The Central Pollution Control Board shall prepare a consolidated annual review report on the status of implementation of these rules by local bodies in the country and forward the same to the Ministry of Urban Development

and Ministry of Environment, Forest and Climate Change, along with its recommendations before the 31<sup>st</sup> day of August each year.

(5) The annual report shall be reviewed by the Ministry of Environment, Forest and Climate Change during the meeting of Central Monitoring Committee.

**25. Accident reporting-** 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 the local body in Form-VI and the local body shall review and issue instructions if any, to the in-charge of the facility.

#### SCHEDULE I

[see rule 15 (w),(zi), 16 (1) (b) (e), 16 (4)]

##### Specifications for Sanitary Landfills

###### (A) Criteria for site selection.-

- (i) The department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites.
- (ii) The sanitary landfill site shall be planned, designed and developed with proper documentation of construction plan as well as a closure plan in a phased manner. In case a new landfill facility is being established adjoining an existing landfill site, the closure plan of existing landfill should form a part of the proposal of such new landfill.
- (iii) The landfill sites shall be selected to make use of nearby wastes processing facilities. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.
- (iv) Landfill sites shall be set up as per the guidelines of the Ministry of Urban Development, Government of India and Central Pollution Control Board.
- (v) The existing landfill sites which are in use for more than five years shall be improved in accordance with the specifications given in this Schedule.
- (vi) The landfill site shall be large enough to last for at least 20-25 years and shall develop 'landfill cells' in a phased manner to avoid water logging and misuse.
- (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority/ Air force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas..
- (viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department's land-use plans.
- (ix) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board.
- (x) The biomedical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as amended from time to time. The hazardous waste shall be managed in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended from time to time. The E-waste shall be managed in accordance with the e-Waste (Management ) Rules, 2016 as amended from time to time.
- (xi) Temporary storage facility for solid waste shall be established in each landfill site to accommodate the waste in case of non- operation of waste processing and during emergency or natural calamities.

###### (B) Criteria for development of facilities at the sanitary landfills.-

- (i) Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles, to prevent entry of unauthorised persons and stray animals
- (ii) The approach and / internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (iii) The landfill site shall have waste inspection facility to monitor waste brought in for landfilling h, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed.

- (iv) Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (v) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided.
- (vi) Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- (vii) Provisions for parking, cleaning, washing of transport vehicles carrying solid waste shall be provided. The wastewater so generated shall be treated to meet the prescribed standards.

**(C) Criteria for specifications for land filling operations and closure on completion of land filling.-**

- (i) Waste for land filling shall be compacted in thin layers using heavy compactors to achieve high density of the waste. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.
- (ii) Till the time waste processing facilities for composting or recycling or energy recovery are set up, the waste shall be sent to the sanitary landfill. The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material..
- (iii) Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and grading to prevent infiltration during monsoon. Proper drainage shall be constructed to divert run-off away from the active cell of the landfill.
- (iv) After completion of landfill, a final cover shall be designed to minimise infiltration and erosion. The final cover shall meet the following specifications, namely :--
  - a) The final cover shall have a barrier soil layer comprising of 60 cm of clay or amended soil with permeability coefficient less than  $1 \times 10^{-7}$  cm/sec.
  - b) On top of the barrier soil layer, there shall be a drainage layer of 15 cm.
  - c) On top of the drainage layer, there shall be a vegetative layer of 45 cm to support natural plant growth and to minimise erosion.

**(D) Criteria for pollution prevention.-**In order to prevent pollution from landfill operations, the following provisions shall be made, namely:-

- (i) The storm water drain shall be designed and constructed in such a way that the surface runoff water is diverted from the landfilling site and leachates from solid waste locations do not get mixed with the surface runoff water. Provisions for diversion of storm water discharge drains shall be made to minimise leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions.
- (ii) Non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) shall have liner of composite barrier of 1.5 mm thick high density polyethylene (HDPE) geo-membrane or geo-synthetic liners, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than  $1 \times 10^{-7}$  cm/sec. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer provided at the bottom of landfills.
- (iii) Provisions for management of leachates including its collection and treatment shall be made. The treated leachate shall be recycled or utilized as permitted, otherwise shall be released into the sewerage line, after meeting the standards specified in Schedule- II. In no case, leachate shall be released into open environment.
- (iv) Arrangement shall be made to prevent leachate runoff from landfill area entering any drain, stream, river, lake or pond. In case of mixing of runoff water with leachate or solid waste, the entire mixed water shall be treated by the concern authority.

**(E) Criteria for water quality monitoring.-**

- (i) Before establishing any landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality within 50 meter of the periphery of landfill site shall be periodically monitored covering different seasons in a year that is, summer, monsoon and post-monsoon period to ensure that the ground water is not contaminated.
- (ii) Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) shall be considered only after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely :-

S. No.	Parameters	IS 10500:2012, Edition 2.2(2003-09) Desirable limit (mg/l except for pH)
(1)	(2)	(3)
	Arsenic	0.01
	Cadmium	0.01
	Chromium(as Cr <sup>6+</sup> )	0.05
	Copper	0.05
	Cyanide	0.05
	Lead	0.05
	Mercury	0.001
	Nickel	-
	Nitrate as NO <sub>3</sub>	45.0
	pH	6.5-8.5
	Iron	0.3
	Total hardness (as CaCO <sub>3</sub> )	300.0
	Chlorides	250
	Dissolved solids	500
	Phenolic compounds (as C <sub>6</sub> H <sub>5</sub> OH)	0.001
	Zinc	5.0
	Sulphate (as SO <sub>4</sub> )	200

**(F) Criteria for ambient air quality monitoring.-**

- (i) Landfill gas control system including gas collection system shall be installed at landfill site to minimize odour, prevent off-site migration of gases, to protect vegetation planted on the rehabilitated landfill surface. For enhancing landfill gas recovery, use of geomembranes in cover systems along with gas collection wells should be considered.
- (ii) The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).
- (iii) The landfill gas from the collection facility at a landfill site shall be utilized for either direct thermal applications or power generation, as per viability. Otherwise, landfill gas shall be burnt (flared) and shall not be allowed to escape directly to the atmosphere or for illegal tapping. Passive venting shall be allowed in case if its utilisation or flaring is not possible.
- (iv) Ambient air quality at the landfill site and at the vicinity shall be regularly monitored. Ambient air quality shall

meet the standards prescribed by the Central Pollution Control Board for Industrial area.

**G. Criteria for plantation at landfill Site.-** A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely:-

- (a) Locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be planted;
- (b) The selection of plants should be of such variety that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilized;
- (c) Selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition;
- (d) Plantation to be made in sufficient density to minimise soil erosion.
- (e) Green belts shall be developed all around the boundary of the landfill in consultation with State Pollution Control Boards or Pollution Control Committees .

**H. Criteria for post-care of landfill site.- (1)** The post-closure care of landfill site shall be conducted for at least fifteen years and long term monitoring or care plan shall consist of the following, namely :-‘

- (a) Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover;
  - (b) Monitoring leachate collection system in accordance with the requirement;
  - (c) Monitoring of ground water in and around landfill;
  - (d) Maintaining and operating the landfill gas collection system to meet the standards.
- (2) Use of closed landfill sites after fifteen years of post-closure monitoring can be considered for human settlement or otherwise only after ensuring that gaseous emission and leachate quality analysis complies with the specified standards and the soil stability is ensured.

**I. Criteria for special provisions for hilly areas.-**Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid waste by the local body with the approval of the concerned State Pollution Control Board or the Pollution Control Committee. The local body shall set up processing facilities for utilisation of biodegradable organic waste. The non-biodegradable recyclable materials shall be stored and sent for recycling periodically. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. In case of constraints in finding adequate land in hilly areas, waste not suitable for road-laying or filling up shall be disposed of in regional landfills in plain areas.

**J. Closure and Rehabilitation of Old Dumps-** Solid waste dumps which have reached their full capacity or those which will not receive additional waste after setting up of new and properly designed landfills should be closed and rehabilitated by examining the following options:

- (i) Reduction of waste by bio mining and waste processing followed by placement of residues in new landfills or capping as in (ii) below.
- (ii) Capping with solid waste cover or solid waste cover enhanced with geomembrane to enable collection and flaring / utilisation of greenhouse gases.
- (iii) Capping as in (ii) above with additional measures (in alluvial and other coarse grained soils) such as cut-off walls and extraction wells for pumping and treating contaminated ground water.
- (iv) Any other method suitable for reducing environmental impact to acceptable level.

## SCHEDULE II

[see rule 16 (1), (b), (e), 16 (4) ]

### Standards of processing and treatment of solid waste

**A. Standards for composting.-** The waste processing facilities shall include composting as one of the technologies for processing of bio degradable waste. In order to prevent pollution from compost plant, the following shall be complied with namely :-

- (a) The incoming organic waste at site shall be stored properly prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;
- (b) Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard;

- (c) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of waste to the temporary processing site or temporary landfill sites which will be again reprocessed when plant is in order;
- (d) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclable high calorific fractions to be segregated and sent to waste to energy or for RDF production, co-processing in cement plants or to thermal power plants. Only rejects from all processes shall be sent for sanitary landfill site(s).
- (e) The windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay of 50 cm thick having permeability coefficient less than  $10^{-7}$  cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off;
- (f) Ambient air quality monitoring shall be regularly carried out. Odour nuisance at down-wind direction on the boundary of processing plant shall also be checked regularly.
- (g) Leachate shall be re-circulated in compost plant for moisture maintenance.
- (h) The end product compost shall meet the standards prescribed under Fertilizer Control Order notified from time to time.
- (i) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely:-

Parameters	Organic Compost (FCO 2009)	Phosphate Rich Organic Manure (FCO 2013)
(1)	(2)	(3)
Arsenic (mg/Kg)	10.00	10.00
Cadmium (mg/Kg)	5.00	5.00
Chromium (mg/Kg)	50.00	50.00
Copper (mg/Kg)	300.00	300.00
Lead (mg/Kg)	100.00	100.00
Mercury (mg/Kg)	0.15	0.15
Nickel (mg/Kg)	50.00	50.00
Zinc (mg/Kg)	1000.00	1000.00
C/N ratio	<20	Less than 20:1
pH	6.5-7.5	(1:5 solution) maximum 6.7
Moisture, percent by weight, maximum	15.0-25.0	25.0
Bulk density (g/cm <sup>3</sup> )	<1.0	Less than 1.6
Total Organic Carbon, per cent by weight, minimum	12.0	7.9

Total Nitrogen (as N), per cent by weight, minimum	0.8	0.4
Total Phosphate (as P <sub>2</sub> O <sub>5</sub> ) percent by weight, minimum	0.4	10.4
Total Potassium (as K <sub>2</sub> O), percent by weight, minimum	0.4	-
Colour	Dark brown to black	-
Odour	Absence of foul Odor	-
Particle size	Minimum 90% material should pass through 4.0 mm IS sieve	Minimum 90% material should pass through 4.0 mm IS sieve
Conductivity (as dsm-1), not more than	4.0	8.2

\* Compost (final product) exceeding the above stated concentration limits shall not be used for food crops. However, it may be utilized for purposes other than growing food crops.

**B. Standards for treated leachates.**-The disposal of treated leachates shall meet the following standards, namely:-

S. No	Parameter	Standards ( Mode of Disposal )		
		Inland surface water	Public sewers	Land disposal
(1)	(2)	(3)	(4)	(5)
1.	Suspended solids, mg/l, max	100	600	200
2.	Dissolved solids (inorganic) mg/l, max.	2100	2100	2100
3	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
4	Ammonical nitrogen (as N), mg/l, max.	50	50	-
5	Total Kjeldahl nitrogen (as N), mg/l, max.	100	-	-
6	Biochemical oxygen demand (3 days at 27 <sup>o</sup> C) max.(mg/l)	30	350	100
7	Chemical oxygen demand, mg/l, max.	250	-	-
8	Arsenic (as As), mg/l, max	0.2	0.2	0.2
9	Mercury (as Hg), mg/l, max	0.01	0.01	-
10	Lead (as Pb), mg/l, max	0.1	1.0	-
11	Cadmium (as Cd), mg/l, max	2.0	1.0	-

12	Total Chromium (as Cr), mg/l, max.	2.0	2.0	-
13	Copper (as Cu), mg/l, max.	3.0	3.0	-
14	Zinc (as Zn), mg/l, max.	5.0	15	-
15	Nickel (as Ni), mg/l, max	3.0	3.0	-
16	Cyanide (as CN), mg/l, max.	0.2	2.0	0.2
17	Chloride (as Cl), mg/l, max.	1000	1000	600
18	Fluoride (as F), mg/l, max	2.0	1.5	-
19	Phenolic compounds (as C <sub>6</sub> H <sub>5</sub> OH) mg/l, max.	1.0	5.0	-

Note : While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

**C. Standards for incineration:** The Emission from incinerators /thermal technologies in Solid Waste treatment/disposal facility shall meet the following standards, namely:-

Parameter	Emission standard	
	(1)	(2)
<b>Particulates</b>	50 mg/Nm <sup>3</sup>	Standard refers to half hourly average value
<b>HCl</b>	50 mg/Nm <sup>3</sup>	Standard refers to half hourly average value
<b>SO<sub>2</sub></b>	200 mg/Nm <sup>3</sup>	Standard refers to half hourly average value
<b>CO</b>	100 mg/Nm <sup>3</sup>	Standard refers to half hourly average value
	50 mg/Nm <sup>3</sup>	Standard refers to daily average value
<b>Total Organic Carbon</b>	20 mg/Nm <sup>3</sup>	Standard refers to half hourly average value
<b>HF</b>	4 mg/Nm <sup>3</sup>	Standard refers to half hourly average value
<b>NO<sub>x</sub> (NO and NO<sub>2</sub> expressed as NO<sub>2</sub>)</b>	400 mg/Nm <sup>3</sup>	Standard refers to half hourly average value
<b>Total dioxins and furans</b>	0.1 ng TEQ/Nm <sup>3</sup>	Standard refers to 6-8 hours sampling. Please refer guidelines for 17 concerned congeners for toxic equivalence values to arrive at total toxic equivalence.
<b>Cd + Th + their compounds</b>	0.05 mg/Nm <sup>3</sup>	Standard refers to sampling time anywhere between 30 minutes and 8 hours.
<b>Hg and its compounds</b>	0.05 mg/Nm <sup>3</sup>	Standard refers to sampling time anywhere between 30 minutes and 8 hours.

<b>Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V + their compounds</b>	0.5 mg/Nm <sup>3</sup>	Standard refers to sampling time anywhere between 30 minutes and 8 hours.
<i>Note.- All values corrected to 11% oxygen on a dry basis.</i>		

**Note:**

- (a) Suitably designed pollution control devices shall be installed or retrofitted with the incinerator to achieve the above emission limits..
- (b) Waste to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- (c) Incineration of chlorinated plastics shall be phased out within two years.
- (d) if the concentration of toxic metals in incineration ash exceeds the limits specified in the Hazardous Waste (Management, Handling and Trans boundary Movement) Rules, 2008, as amended from time to time, the ash shall be sent to the hazardous waste treatment, storage and disposal facility.
- (e) Only low sulphur fuel like LDO, LSHS, Diesel, bio-mass, coal, LNG, CNG, RDF and bio-gas shall be used as fuel in the incinerator.
- (f) The CO<sub>2</sub> concentration in tail gas shall not be more than 7%.
- (g) All the facilities in twin chamber incinerators shall be designed to achieve a minimum temperature of 950<sup>0</sup>C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.
- (h) Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve total Organic Carbon (TOC) content in the slag and bottom ash less than 3%, or the loss on ignition is less than 5% of the dry weight.
- (i) Odour from sites shall be managed as per guidelines of CPCB issued from time to time

**FORM – I****[see rule 15 (y) 16 (1) (c), 21(3) ]**

**Application for obtaining authorisation under solid waste management rules  
for processing/recycling/treatment and disposal of solid waste**

To,  
The Member Secretary,  
State Pollution Control Board or Pollution Control Committee,  
of.....  
Sir,

I/We hereby apply for authorisation under the Solid Waste Management Rules, 2016 for processing, recycling, treatment and disposal of solid waste.

1.	Name of the local body/agency appointed by them/ operator of facility	
2.	Correspondence address Telephone No. Fax No. ,e-mail:	

3.	Nodal Officer & designation (Officer authorised by the local body or agency responsible for operation of processing/ treatment or disposal facility)	
4.	Authorisation required for setting up and operation of the facility (Please tick mark)	waste processing recycling treatment disposal at landfill
5.	Attach copies of the Documents Site clearance (local body) Proof of Environmental Clearance Consent for establishment Agreement between municipal authority and operating agency Investment on the project and expected return	
6.	<b>Processing/recycling/treatment of solid waste</b> (i) Total Quantity of waste to be processed per day Quantity of waste to be recycled Quantity of waste to be treated Quantity of waste to be disposed into landfill (ii) Utilisation programme for waste processed (Product utilisation) (iii) Methodology for disposal (attach details) Quantity of leachate Treatment technology for leachate (iv) Measures to be taken for prevention and control of environmental pollution (v) Measures to be taken for safety of workers working in the plant (vi) Details on solid waste processing/recycling/ treatment/disposal facility (to be attached)	
7.	<b>Disposal of solid waste</b> Number of sites identified Quantity of waste to be disposed per day Details of methodology or criteria followed for site selection (attach) Details of existing site under operation Methodology and operational details of landfilling Measures taken to check environmental pollution	
8	Any other information.	

Date:

Signature:

Place:

Designation

**Form- II**

[see rule 16 (1) (e) ]

**Format for issue of authorisation**

File No.: \_\_\_\_\_

Dated: \_\_\_\_\_

**Authorisation No**

To

Ref: Your application number \_\_\_\_\_ dt. \_\_\_\_\_

The \_\_\_\_\_ State Pollution Control Board/Pollution Control Committee after examining the proposal hereby authorises \_\_\_\_\_ having administrative office at \_\_\_\_\_ to set up and operate waste processing/recycling/ treatment/disposal facility at \_\_\_\_\_

The authorisation is hereby granted to operate the facility for processing, recycling, treatment and disposal of solid waste.

The authorisation is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules.

The \_\_\_\_\_ State Pollution Control Board/Pollution Control Committees of the UT \_\_\_\_\_ may, at any time, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

Any violation of the provision of the Solid Waste Management Rules, 2016 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)

State Pollution Control Board/Pollution Control Committee of the UT

(Signature and designation)

Date:

Place:

**Form – III**

[see rule 19 (6), 24 (1) ]

**Format of annual report to be submitted by the operator of facility to the local body**

1	Name of the City/Town and State	
2	Population	
3	Area in sq. kilometers	
4	Name & Address of the local body Telephone No. Fax No. E-mail:	
5	Name and address of operator of the facility	
6	Name of officer in-charge of the facility Phone No: Fax No: E-mail:	

7	Number of households in the city/town , Number of non-residential premises in the city Number of election/ administrative wards in the city/town	
8	Quantity of Solid waste	
	Estimated Quantity of solid waste generated in the local body area per day in metric tones	/tpd
	Quantity of solid waste collected per day	/tpd
	Per capita waste collected per day	/gm/day
	Quantity of solid waste processed	/tpd
	Quantity of solid waste disposed at landfill	/tpd
9	Status of Solid Waste Management (SWM) service	
	Segregation and storage of waste at source Whether solid waste is stored at source in domestic/commercial/ institutional bins If yes, Percentage of households practice storage of waste at source in domestic bins Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins Percentage of households dispose of throw solid waste on the streets Percentage of non-residential premises dispose of throw solid waste on the streets Whether solid waste is stored at source in a segregated form If yes, Percentage of premises segregating the waste at source	Yes/No  %  %  %  %  Yes/No %
	Door to Door Collection of solid waste	
	Whether door to door collection (D2D) of solid waste is being done in the city/town	Yes/No
	if yes	
	Number of wards covered in D2D collection of waste	
	No. of households covered  No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/ offices etc covered	

	Percentage of residential and non-residential premises covered in door to door collection through :					
	Motorized vehicle	%				
	Containerized tricycle/handcart	%				
	Other device	%				
	If not, method of primary collection adopted					
	Sweeping of streets					
	Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned	km				
	Frequency of street sweepings and percentage of population covered	frequency	Daily	Alternate days	Twice a week	Occasionally
		% of population covered				
	Tools used	%				
	Manual sweeping	%				
	Mechanical sweeping	%				
	Whether long handle broom used by sanitation workers	Yes/No				
	Whether each sanitation worker is given handcart/tricycle for collection of waste	Yes/No				
	Whether handcart / tricycle is containerized	Yes/No				
	Whether the collection tool synchronizes with collection/ waste storage containers utilized	Yes/No				
	Secondary Waste Storage facilities					
	No. and type of waste storage depots in the city/town	No.	Capacity in m <sup>3</sup>			
	Open waste storage sites					
	Masonry bins					
	Cement concrete cylinder bins					
	Dhalao/covered rooms/space					
	Covered metal/plastic containers					
	Upto 1.1 m <sup>3</sup> bins					
	2 to 5 m <sup>3</sup> bins					
	Above 5m <sup>3</sup> containers					
	Bin-less city					
	Bin/ population ratio					



	Waste Transportation per day Type and Number of vehicles used (pl tick or add)	No. Trips made waste transported
	Animal cart Tractors Non tipping Truck Tipping Truck Dumper Placers Refuse collectors Compactors Others JCB/loader	
	Frequency of transportation of waste	Frequency (%) of waste transported Daily Alternate day Twice a week Once a week Occasionally
	Quantity of waste transported each day	/tpd
	Percentage of total waste transported daily	%
	Waste Treatment Technologies used	
	Whether solid waste is processed	Yes/No
	If yes, Quantity of waste processed daily	/tpd
	Land(s) available with the local body for waste processing (in Hectares)  Land currently utilized for waste processing	
	Solid waste processing facilities in operation	
	Solid waste processing facilities under construction	
	Distance of processing facilities from city/town boundary	
	Details of technologies adopted	

	Composting ,	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	vermi composting	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
	Bio-methanation	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
	Refuse Derived Fuel	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
	Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology ( give detail)	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
	Co-processing	Qty. raw material processed
	Combustible waste supplied to cement plant	
	Combustible waste supplied to solid waste based power plants	
	Others	Qty.
	Solid waste disposal facilities	
	No. of dumpsites sites available with the local body	
	No. of sanitary landfill sites available with the local body	
	Area of each such sites available for waste disposal	
	Area of land currently used for waste disposal	
	Distance of dumpsite/landfill facility from city/town	kms
	Distance from the nearest habitation	kms
	Distance from water body	kms

	Distance from state/national highway	kms
	Distance from Airport	kms
	Distance from important religious places or historical monument	kms
	Whether it falls in flood prone area	Yes/No
	Whether it falls in earthquake fault line area	Yes/No
	Quantity of waste landfilled each day	tpd
	Whether landfill site is fenced	Yes / No
	Whether Lighting facility is available on site	Yes / No
	Whether Weigh bridge facility available	Yes / No
	Vehicles and equipments used at landfill (specify)	Bulldozer, Compacters etc. available
	Manpower deployed at landfill site	Yes/No (if yes, attach details)
	Whether covering is done on daily basis	Yes/No
	If not, Frequency of covering the waste deposited at the landfill	
	Cover material used	
	Whether adequate covering material is available	Yes/No
	Provisions for gas venting provided	Yes/No, (if yes, attach technical data sheet)
	Provision for leachate collection	Yes/No, (if yes, attach technical data sheet)
10	Whether an Action Plan has been prepared for improving solid waste management practices in the city	Yes/No (if Yes attach Action Plan details)
11	What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) :	Attach details on Proposals, Steps taken, Yes/No Yes/No Yes/No
12	Details of Post Closure Plan	Attach Plan
13	How many slums are identified and whether these are provided with Solid Waste Management facilities :	Yes/ No (if Yes, attach details)
14	Give details of manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	

15	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules	
16	Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies.	

Signature of Operator

Dated :

Place:

**Form – IV**

[see rules 15(za), 24(2)]

**Format for annual report on solid waste management to be submitted by the local body**

<b>CALENDAR YEAR:</b>	<b>DATE OF SUBMISSION OF REPORT:</b>

1	Name of the City/Town and State	
2	Population	
3	Area in sq. kilometers	
4	Name & Address of local body Telephone No. Fax No. E-mail:	
5	Name of officer in-charge dealing with solid waste management (SOLID WASTEM)Phone No: Fax No: E-mail:	
6	Number of households in the city/town Number of non-residential premises in the city Number of election/ administrative wards in the city/town	
7	Quantity of Solid waste (solid waste)	
	Estimated Quantity of solid waste generated in the local body area per day in metric tones	/tpd
	Quantity of solid waste collected per day	/tpd

	Per capita waste collected per day	/gm/day
	Quantity of solid waste processed	/tpd
	Quantity of solid waste disposed at dumpsite/ landfill	/tpd
8	Status of Solid Waste Management service	
	Segregation and storage of waste at source Whether SOLID WASTE is stored at source in domestic/commercial/ institutional bins, If yes, Percentage of households practice storage of waste at source in domestic bins Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins Percentage of households dispose or throw solid waste on the streets Percentage of non-residential premises dispose of throw solid waste on the streets Whether solid waste is stored at source in a segregated form, If yes, Percentage of premises segregating the waste at source	Yes/No  % % % % Yes/No %
	Door to Door Collection of solid waste	
	Whether door to door collection (D2D) of solid waste is being done in the city/town	Yes/No
	if yes	
	Number of wards covered in D2D collection of waste	
	No. of households covered	
	No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/ offices etc covered	
	Percentage of residential and non-residential premises covered in door to door collection through : Motorized vehicle Containerized tricycle/handcart Other device	 % % %
	If not, method of primary collection adopted	
	Sweeping of streets	
	Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned	km

Frequency of street sweepings and percentage of population covered	frequency	Daily	Alternate days	Twice a week	Occasionally
	% of population covered				
Tools used					
Manual sweeping	%				
Mechanical sweeping	%				
Whether long handle broom used by sanitation workers	Yes/No				
Whether each sanitation worker is given handcart/tricycle for collection of waste	Yes/No				
Whether handcart / tricycle is containerized	Yes/No				
Whether the collection tool synchronizes with collection/ waste storage containers utilized	Yes/No				
Secondary Waste Storage facilities					
No. and type of waste storage depots in the city/town	No.	Capacity in m <sup>3</sup>			
Open waste storage sites					
Masonry bins					
Cement concrete cylinder bins					
Dhalao/covered rooms/space					
Covered metal/plastic containers					
Upto 1.1 m <sup>3</sup> bins					
2 to 5 m <sup>3</sup> bins					
Above 5m <sup>3</sup> containers					
Bin-less city					
Bin/ population ratio					
Ward wise details of waste storage depots (attach) :					
Ward No:					
Area:					
Population:					
No. of bins placed					
Total volume of bins placed					
Total storage capacity of waste storage facilities in cubic meters					
Total waste actually stored at the waste storage depots daily					

	Give frequency of collection of waste from the depots Number of bins cleared	Frequency	No. of bins
		Daily	
		Alternate day	
		Twice a week	
		Once a week	
		Occasionally	
	Whether storage depots have facility for storage of segregated waste in green, blue and black bins	Yes/ No (if yes, add details) No. of green bins: No. of blue bins: No. of black bins:	
	Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage (%) of Manual Lifting of solid waste (%) of Mechanical lifting	% %	
	If mechanical – specify the method used	front-end loaders/ Top loaders	
	Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form	Yes/ No (if yes, specify)	
	Waste transportation per day Type and Number of vehicles used	No. Trips made waste transported	
	Animal cart Tractors Non tipping Truck Tipping Truck Dumper Placers Refuse collectors Compactors Others JCB/loader		

Frequency of transportation of waste	Frequency (%) of waste transported Daily Alternate day Twice a week Once a week Occasionally
Quantity of waste transported each day	/tpd
Percentage of total waste transported daily	%
Waste Treatment Technologies used	
Whether solid waste is processed	Yes/No
If yes, Quantity of waste processed daily	/tpd
Whether treatment is done by local body or through an agency	
Land(s) available with the local body for waste processing (in Hectares)	
Land currently utilized for waste processing Solid waste processing facilities in operation Solid waste processing facilities under construction	
Distance of processing facilities from city/town boundary	
Details of technologies adopted	
Composting ,	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Vermi composting	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Bio-methanation	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled

Refuse Derived Fuel	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology ( give detail)	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Co-processing	Qty. raw material processed
Combustible waste supplied to cement plant	
Combustible waste supplied to solid waste based power plants	
Others	Qty.
Solid waste disposal facilities	
No. of dumpsites sites available with the local body	
No. of sanitary landfill sites available with the local body	
Area of each such sites available for waste disposal	
Area of land currently used for waste disposal Distance of dumpsite/landfill facility from city/town	kms
Distance from the nearest habitation	kms
Distance from water body	kms
Distance from state/national highway	kms
Distance from Airport	kms
Distance from important religious places or historical monument	kms
Whether it falls in flood prone area	Yes/No
Whether it falls in earthquake fault line area	Yes/No
Quantity of waste landfilled each day	tpd
Whether landfill site is fenced	Yes / No
Whether Lighting facility is available on site	Yes / No

	Whether Weigh bridge facility available	Yes / No
	Vehicles and equipments used at landfill (specify)	Bulldozer, Compacters etc. available
	Manpower deployed at landfill site	Yes/No (if yes, attach details)
	Whether covering is done on daily basis	Yes/No
	If not, Frequency of covering the waste deposited at the landfill	
	Cover material used	
	Whether adequate covering material is available	Yes/No
	Provisions for gas venting provided	Yes/No (if yes, attach technical data sheet)
	Provision for leachate collection	Yes/No (if yes, attach technical data sheet)
9	Whether an Action Plan has been prepared for improving solid waste management practices in the city	Yes/No (if Yes attach Action Plan details)
10	What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) :	Attach details on Proposals,Steps taken, Yes/No Yes/No Yes/No
11	Details of Post Closure Plan	Attach Plan
12	How many slums are identified and whether these are provided with Solid Waste Management facilities :	Yes/ No (if Yes, attach details)
13	Give details of: Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	
14	Give details of: Contractor/ concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	
15	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules	

16	Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies	
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Signature of CEO/Municipal Commissioner/  
Executive Officer/Chief Officer

Date:

Place:

**Form – V**  
[see rule 24(3)]

**Format of annual report to be submitted by the state pollution control board or pollution control committee committees to the central pollution control board**

**PART A**

To,

The Chairman  
Central Pollution Control Board  
Parivesh Bhawan, East Arjun Nagar  
DELHI- 110 0032

1.	Name of the State/Union territory	:	
2.	Name & address of the State Pollution Control	:	
3.	Number of local bodies responsible for management of: solid waste in the State/Union territory under these rules	:	
4.	No. of authorisation application Received	:	
5.	A Summary Statement on progress made by local body: in respect of solid waste management	:	Please attach as Annexure-I
6.	A Summary Statement on progress made by local bodies: in respect of waste collection, segregation, transportation and disposal	:	Please attach as Annexure-II
7.	A summary statement on progress made by local bodies: in respect of implementation of Schedule II	:	Please attach as Annexure-III

Date: .....	Chairman or the Member Secretary State Pollution Control Board/ Pollution Control Committee
Place: .....	

**PART B****Towns/cities**

Total number of towns/cities

Total number of ULBs

Number of class I &amp; class II cities/towns

**Authorisation status (names/number)**

Number of applications received

Number of authorisations granted

Authorisations under scrutiny

**SOLID WASTE Generation status**

Solid waste generation in the state (TPD)

collected

treated

landfilled

**Compliance to Schedule I of SW Rules (Number/names of towns/capacity)**

Good practices in cities/towns

House-to-house collection

Segregation

Storage

Covered transportation

**Processing of SW (Number/names of towns/capacity)**

Solid Waste processing facilities setup:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletization

Processing facility operational:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletization

Processing facility under installation/planned:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletisation

**Waste-to-Energy Plants: (Number/names of towns/capacity)**

Sl. No.	Plant Location	Status of operation	Power generation (MW)	Remarks

**Disposal of solid waste (number/names of towns/capacity):**

Landfill sites identified

Landfill constructed

Landfill under construction

Landfill in operation

Landfill exhausted

Landfilled capped

**Solid Waste Dumpsites (number/names of towns/capacity):**

Total number of existing dumpsites

Dumpsites reclaimed/capped

Dumpsites converted to sanitary landfill

**Monitoring at Waste processing/Landfills sites**

Sl. No.	Name of facilities	Ambient air	Groundwater	Leachate quality	Compost quality	VOCs
1.						
2.						
3.						

**Status of Action Plan prepared by Municipalities**

Total number of municipalities:

Number of Action Plan submitted:

**Form – VI**

[see rule 25]

**Accident Reporting**

1.	Date and time of accident	:	
2.	Sequence of events leading to accident	:	
3.	The waste involved in accident	:	

4.	Assessment of the effects of the accidents on human health: and the environment	:	
5.	Emergency measures taken	:	
6.	Steps taken to alleviate the effects of accidents	:	
7.	Steps taken to prevent the recurrence of such an accident	:	
Date: .....		Signature:.....	
Place: .....		Designation: .....	

[F. No. 18-3/2004-HSMD]  
BISHWANATH SINHA, Jt. Secy.

## **4.1.3. PLASTIC WASTE (MANAGEMENT AND HANDLING) RULES, 2016**



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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**पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय****अधिसूचना**

नई दिल्ली, 18 मार्च, 2016

**सा.का.नि. 320(अ).**—भारत सरकार, तत्कालीन पर्यावरण और वन मंत्रालय द्वारा अधिसूचना संख्या का.आ. 249(अ), तारीख 4 फरवरी, 2011 के तहत प्लास्टिक अपशिष्ट (प्रबंध और प्रहस्तन) नियम, 2011 प्रकाशित किए गए थे, जिन्हें समय-समय पर संशोधित किया गया। इन नियमों ने देश में जनित प्लास्टिक अपशिष्ट के प्रबंध के लिए एक नियामक ढांचा उपलब्ध कराया;

और इन नियमों को अधिक कारगर ढंग से लागू करने और प्लास्टिक अपशिष्ट को न्यूनतम करने, स्रोत पर पृथक्करण, पुनः चक्रण पर बल देने के लिए घरों से अथवा इसके जनन के अन्य किसी स्रोत से अथवा मध्यवर्ती सामग्री पुनः प्राप्ति सुविधा से प्लास्टिक अपशिष्ट के टुकड़ों के संग्रहण में अपशिष्ट बीनने वालों, पुनः चक्रकों और अपशिष्ट संसाधकों को शामिल किया और अपशिष्ट प्रबंध प्रणाली की दीर्घकालिकता के लिए प्रदूषकों के भुगतान करने का सिद्धांत अपनाने के लिए केंद्रीय सरकार ने वर्तमान नियमों की समीक्षा की;

और पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6, 8 और 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा मसौदा नियम अर्थात् प्लास्टिक अपशिष्ट प्रबंध नियम, 2015 भारत के राजपत्र में सा.का.नि.423(अ), तारीख 25 मई, 2015 के तहत प्रकाशित कराए गए थे जिसमें जिस तारीख को उक्त अधिसूचना वाले राजपत्र की प्रतियां जनता को उपलब्ध कराई गई थीं उससे 60 दिन की अवधि समाप्त होने से पूर्व इनसे प्रभावित होने वाले संभावित सभी व्यक्तियों से आपत्तियां और सुझाव आमंत्रित किए गए थे;

और उक्त राजपत्र की प्रतियां 25 मई, 2015 को जनता को उपलब्ध करा दी गई थीं।

और उक्त मसौदा नियमों के संबंध में जनता से उक्त अवधि के अंदर प्राप्त आपत्तियों और सुझावों पर केंद्रीय सरकार द्वारा विधिवत विचार किया गया है;

अब, इसलिए, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 की 29) की धारा 3, 6 और 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा प्लास्टिक अपशिष्ट (प्रबंध और प्रहस्तन) नियम, 2011 का अधिक्रमण करते हुए, उन बातों को छोड़कर जो उक्त अधिक्रमण से पूर्व की गई है अथवा जिनका विलोप किया गया है, केंद्रीय सरकार एतद्वारा निम्नलिखित नियम बनाती है, अर्थात् :-

1. **संक्षिप्त नाम और प्रारंभ.-** (1) इन नियमों का संक्षिप्त नाम अपशिष्ट प्लास्टिक नियम, 2016 है।
- (2) इन नियमों में उपबंध के सिवाए वे राजपत्र में अपने प्रकाशन की तारीख से प्रवृत्त होंगे।
2. **लागू होना.-**
  - (1) ये नियम प्रत्येक अपशिष्ट उत्पादक, शहरी स्थानीय निकाय, ग्राम पंचायत विनिर्माता और उत्पादक को लागू होंगे।
  - (2) नियम 4 केंद्रीय सरकार द्वारा अधिसूचित निर्यात के आदेश के लिए अपने उत्पाद के विनिर्माण के लिए निर्यातोन्मुख इकाइयों या विशेष आर्थिक जोन की इकाइयों पर लागू नहीं होगा: परन्तु यह छूट गुटका, तम्बाकू और पान मसाला के पैकेजिंग में लगी इकाइयों और किसी अधिशेष या निराकृत, अवशेष और इसी प्रकार के अन्य उत्पादों पर भी लागू नहीं होगी।
3. **परिभाषाएं.-** इन नियमों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो.-
  - (क) **"अधिनियम"** से पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) अभिप्रेत है;
  - (ख) **"ब्रांड स्वामी"** ऐसे व्यक्ति या कंपनी से अभिप्रेत है जो किसी पंजीकृत ब्रांड लेबल के तहत कोई वस्तु बेचता है।
  - (ग) **"कैरी बैग"** से प्लास्टिक सामग्री या कंपोस्ट योज्य प्लास्टिक सामग्री से बनाया गया, ले जाने या वस्तुएं तैयार करने के प्रयोजन के लिए प्रयुक्त बैग अभिप्रेत है जिसमें स्वतः ले जाने की विशिष्टता है किन्तु इसमें ऐसा बैग सम्मिलित नहीं है जो ऐसी पैकेजिंग गठित करता है या अभिन्न भाग बनता है जिसमें माल को उपयोग के पूर्व सील किया जाता है;
  - (घ) **"वस्तु से"** ऐसा मूर्त मद अभिप्रेत है जिसे खरीदा या बेचा जा सके और इसमें सभी पण्य माल या सौदा सम्मिलित है;
  - (ङ) **"कंपोस्ट योज्य प्लास्टिक"** से ऐसी प्लास्टिक अभिप्रेत है जो जैविकीय प्रक्रियाओं द्वारा विघटनीय होने के दौरान कार्बन-डाई-आक्साइड, जल, अकार्बनिक यौगिकों को कंपोस्ट करती है और अन्य ज्ञात कंपोस्ट योज्य सामग्रियों के साथ जैव भार की समरूप दर है और जो दृश्य, विशेषणीय या विषाक्त अपशिष्ट नहीं छोड़ती है;
  - (च) **"सहमति"** से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 (1974 का 6) और वायु (प्रदूषण निवारण या नियंत्रण) अधिनियम, 1981 (1981 का 14) के अधीन संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति से स्थापित करने की सहमति और उसे चलाने की सहमति अभिप्रेत है;
  - (छ) **"विघटन"** से किसी सामग्री का बहुत छोटे भागों में भौतिक रूपों में भंजन अभिप्रेत है;
  - (ज) **"विस्तारित उत्पादक दायित्व"** से इसके जीवन तक उत्पाद के पर्यावरणीय रूप से सुदृढ़ के लिए उत्पादक का दायित्व अभिप्रेत है;
  - (झ) **"खाद्य पदार्थ"** से द्रव, चूर्ण, ठोस या अर्ध ठोस रूप में खाने के लिए तैयार खाद्य पदार्थ, फास्ट फूड, प्रसंस्कृत या पकाए हुए खाद्य पदार्थ अभिप्रेत हैं;
  - (ञ) **"सुविधा"** से प्लास्टिक अपशिष्ट के एकत्रण, भंडारण, पुनः चक्रीकरण, प्रसंस्करण और निपटान के लिए उपयोग किए जाने वाला परिसर अभिप्रेत है;
  - (ट) **"आयातकर्ता"** से ऐसा व्यक्ति अभिप्रेत है जो आयात करता है या करने का इरादा रखता है और जिसके पास आयात-निर्यात करने का लाइसेंस है, जब तक उसे अन्यथा विशेष रूप से छूट नहीं दी गई हो;
  - (ठ) **"संस्थागत अपशिष्ट जनित्र"** से केंद्रीय सरकारी विभागी, राज्य सरकारी विभाग, पब्लिक या प्राइवेट सैक्टर कंपनियां, अस्पताल, स्कूल, महाविद्यालय, विश्वविद्यालय या शिक्षा के अन्य स्थल, संगठन, अकादमी, होटल, रेस्तरां, मॉल और शॉपिंग परिसरों द्वारा अधिकृत भवन जैसे संस्थागत भवनों का अधिभोगी अभिप्रेत है और सम्मिलित है;

- (ड) **"विनिर्माता"** से उत्पादक द्वारा कच्ची सामग्री के रूप में प्रयुक्त की जाने वाली प्लास्टिक की कच्ची सामग्री के उत्पादन में लगा व्यक्ति या इकाई या अभिकरण अभिप्रेत है जो सम्मिलित है;
- (ढ) **"बहुस्तरीय पैकेजिंग"** के लिए प्रयुक्त या प्रयुक्त की जाने वाली कोई सामग्री अभिप्रेत है और कागज, काज बोर्ड, बहुलक्ष्य सामग्रियां, धात्विक सतहों या एल्युमिनियम पन्धियां जो या तो लेमिनेट के रूप में या सह-बहिर्वेधन रूप में जैसे सामग्री के एक से अधिक सतह का संयोजन मुख्य संघटकों के रूप में प्लास्टिक का कम से एम स्तर रखती है;
- (ण) **"प्लास्टिक"** से ऐसी सामग्री अभिप्रेत है जिसमें पोलीथाइलीन टेरैफ्थैलेट, उच्च घनत्व पोलीथाइलीन, विनाइल, कम घनत्व पोलीथाइलीन, पोलीप्रोपीलीन, पोलीस्टाइरीन रेसिन, एक्रिलोनीट्रीइलीन बूटाडीन स्टाइरिन जैसी बहु सामग्री, पोलीफिनाइलीन आक्साइड, पोलीकार्बोनेट, पोलीबूटीलीन टेरैफ्थैलेट जैसी उच्च पालिमेर के आवश्यक तत्व अनतर्विष्ट हों;
- (त) **"प्लास्टिक चदर"** के प्लास्टिक चदर से अभिप्रेत है प्लास्टिक से बनी चदर;
- (थ) **"प्लास्टिक अपशिष्ट"** से ऐसे किसी प्लास्टिक से अभिप्रेत है जिसे उपयोग के पश्चात या आशयित उपयोग के पश्चात फेंक दिया जाता है;
- (द) **"विहित प्राधिकारी"** से नियम 12 में विनिर्दिष्ट प्राधिकारी अभिप्रेत है;
- (ध) **"उत्पादक"** से कैरी बैग या बहुस्तरीय पैकेजिंग या प्लास्टिक शीट या जैसे के विनिर्माण या आयात में लगा व्यक्ति अभिप्रेत है और प्लास्टिक शीट या जैसे या प्लास्टिक शीट के बनाए गए कवर या वस्तु की पैकेजिंग या ढकने के लिए बहुस्तरीय पैकेजिंग का उपयोग कर रहे उद्योग या व्यक्ति सम्मिलित हैं;
- (न) **"पुनः चक्रीकरण"** नए उत्पाद उत्पादित करने के लिए पृथक्कृत प्लास्टिक अपशिष्ट को नए उत्पाद या कच्ची सामग्री में रूपान्तरित करने की प्रक्रिया से अभिप्रेत है;
- (प) **"रजिस्ट्रीकरण"** से यथास्थिति, राज्य प्रदूषण नियंत्रण बोर्ड या संबद्ध प्रदूषण नियंत्रण समिति में रजिस्ट्रीकृत अभिप्रेत है;
- (फ) **"पथ विक्रेता"** का वही अर्थ होगा जो पथ विक्रेता (आजीविका का संरक्षण और पथ विक्रय का विनियमन) अधिनियम, 2014 (2014 का 7) की धारा 2 की उपधारा (1) के खंड (1) में है;
- (ब) **"शहरी स्थानीय निकाय"** से नगर निगम, म्युनिसिपैलिटी, नगरपालिका, नगर निगम, नगर पंचायत, नगरपालिका परिषद जैसे विभिन्न नामों वाले शहरी स्थानीय निकाय अभिप्रेत हैं और जिसके अंतर्गत अधिसूचित क्षेत्र समिति (एनएसी) या सुसंगत कानूनों के अधीन गठित कोई अन्य स्थानीय निकाय और जहां प्लास्टिक अपशिष्ट का प्रबंध ऐसे अभिकरण को सौंपा गया है, सम्मिलित हैं;
- (भ) **"अप्रयुक्त प्लास्टिक"** से ऐसी प्लास्टिक सामग्री अभिप्रेत है जिसका पहले उपयोग नहीं किया गया है या रद्दी या अपशिष्ट के साथ भी सम्मिश्रित नहीं किया गया है;
- (म) **"अपशिष्ट जनित्र"** से प्रत्येक व्यक्ति या व्यक्तियों का समूह या संस्था, भारतीय रेल, विमानपत्तन, बंदरगाह और रक्षा कन्टून्मेंट जो अपशिष्ट प्लास्टिक पैदा करते हैं, सहित रिहायसी और वाणिज्यिक स्थापना अभिप्रेत है और सम्मिलित है;
- (य) **"अपशिष्ट प्रबंध"** से प्लास्टिक अपशिष्ट का पर्यावरण की दृष्टि से सुरक्षित पद्धति से एकत्रण, भंडारण, परिवहन, पुनः उपयोग, पुनः प्राप्ति, पुनःचक्रण, कंपोस्टिंग या व्ययन अभिप्रेत है;
- (र) **"अपशिष्ट चुनने वाले"** से पुनःचक्रण योग्य प्लास्टिक अपशिष्ट के चुनने में स्वैच्छिक रूप से लगे या प्राधिकृत किए गए व्यक्ति या एजेंसियां, व्यक्तियों का समूह अभिप्रेत है;

#### 4. शर्तें.-

- (1) कैरी बैग, प्लास्टिक शीट या इसी प्रकार या प्लास्टिक शीट या बहुस्तरीय पैकेजिंग के बने आवरण का विनिर्माण, आयात, भंडारण, वितरण, विक्रय और उपयोग के अनुक्रम दौरान निम्नलिखित शर्तें पूरी की जाएंगी, अर्थात :-
- (क) कैरी बैग और प्लास्टिक पैकेजिंग या तो प्राकृतिक रंग में होंगे जो किसी मिलाए गए रंजक से रहित है या केवल उन्हीं रंजकों और रंगों का उपयोग कर बनाए गए हैं जो समय-समय पर यथा-संशोधित "खाद्य पदार्थों, भेषजीय

पदार्थों और पीने के पानी के संपर्क में आने वाली प्लास्टिकों के उपयोग के लिए रंजकों और रंगकों की सूची" नामक शीर्षक से भारतीय मानक: आईएस 9833:1981 के अनुरूप हैं ;

- (ख) पुनःचक्रित प्लास्टिक से बने कैरी बैग या पुनःचक्रित प्लास्टिक से बने उत्पादों का उपयोग खाने या पीने के लिए तैयार खाद्य सामग्री का भंडार करने, वहन करने, वितरण करने या पैकेजिंग करने के लिए नहीं किया जाएगा;
- (ग) अप्रयुक्त या पुनःचक्रित प्लास्टिक के बने किसी कैरी बैग की मोटाई में पचास माइक्रोन्स से कम नहीं होगी;
- (घ) प्लास्टिक शीट या इसी प्रकार, जो बहुस्तरीय पैकेजिंग और वस्तु की पैकेजिंग या लपेटने के लिए प्रयुक्त प्लास्टिक शीट के बने कवर का अभिन्न भाग नहीं है, की मोटाई पचास माइक्रोन्स से कम नहीं होगी, वहां छोड़कर जहां ऐसी प्लास्टिक शीट उत्पाद के कार्यरण में बाधक हो;
- (ङ) विनिर्माता संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति से विधिमान्य रजिस्ट्रीकरण न रखने वाले उत्पादक को कचची सामग्री के रूप में प्रयुक्त होने वाली प्लास्टिक को न बेचेगा या न उपलब्ध कराएगा या न व्यवस्था करेगा;
- (च) गुटखा, तम्बाकू और पान मसाला के भंडारण, पैकिंग या बिक्री हेतु प्लास्टिक सामग्री युक्त सैशे का उपयोग नहीं किया जाएगा;
- (छ) प्लास्टिक अपशिष्ट का पुनः चक्रण समय-समय पर यथा संशोधित भारतीय मानक के प्लास्टिक के पुनःचक्रण के लिए मार्गदर्शन नामक विनिर्देश भा.मा.14539:1998 के अनुरूप होगा;
- (ज) मोटाई का प्रावधान कंपोस्ट योज्य प्लास्टिक से बने कैरी बैग पर लागू नहीं होगा। कंपोस्ट योज्य प्लास्टिक से बने कैरी बैग समय-समय यथा संशोधित कंपोस्ट योज्य प्लास्टिक के लिए विनिर्देश नामक भारतीय मानक आईएस या आईएसओ 17088:2008 के अनुरूप होंगे। कंपोस्ट योज्य कैरी बैग के विनिर्माता या विक्रेता विपणन या बिक्री करने से पूर्व केन्द्रीय प्रदूषण नियंत्रण बोर्ड से प्रमाण पत्र प्राप्त करेंगे;
- (झ) विनायल एसिटेड-मलेइक एसिड-विनायल क्लोराइड कोपॉलिमर सहित किसी भी प्रकार की प्लास्टिक सामग्री का उपयोग किसी पैकेज में सभी प्रकार के गुटका, पान मसाला और तम्बाकू के पैकेजिंग के लिए नहीं किया जाएगा।

#### 5. प्लास्टिक अपशिष्ट प्रबंध-

- (1) शहरी स्थानीय निकायों द्वारा अपने संबद्ध अधिकारिता में प्लास्टिक अपशिष्ट प्रबंध इस प्रकार होगा :-
- (क) ऐसा प्लास्टिक अपशिष्ट जिसे पुनःचक्रित किया जा सकता हो, को रजिस्ट्रीकृत प्लास्टिक अपशिष्ट पुनःचक्रण को पहुंचाया जाएगा और प्लास्टिक का पुनःचक्रण समय-समय पर यथा-संशोधित पुनःचक्रण के लिए दिशा-निर्देश नामक भारतीय मानक : आईएस 14534:1998 के अनुसार किया जाएगा;
- (ख) शहरी स्थानीय निकाय प्लास्टिक अपशिष्ट (प्रधानतः ऐसे प्लास्टिक अपशिष्ट का जिसका पुनःचक्रीकरण नहीं किया जा सकता) के उपयोग को भारतीय रोड कांग्रेस दिशा-निर्देशों के अनुसार सड़क निर्माण करने या ऊर्जा पुनः प्राप्त करने या बेस्ट टु ऑयल आदि हेतु करने को प्रोत्साहित करेंगी। इन प्रौद्योगिकियों के लिए निर्धारित प्राधिकरण द्वारा विनिर्दिष्ट मानकों और प्रदूषण नियंत्रण मानदंडों का पालन किया जाएगा।
- (ग) तापस्थायी प्लास्टिक अपशिष्ट का प्रसंस्करण और व्ययन केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा समय-समय पर जारी मार्गदर्शक सिद्धांतों के अनुसार किया जाएगा;
- (घ) प्लास्टिक अपशिष्ट के पुनःचक्रण या प्रसंस्करण की सुविधाओं के अक्रिय का व्ययन ठोस अपशिष्ट प्रबंध नियम, 2000 के अनुपालन में या समय-समय पर संशोधन के अनुसार किया जाएगा।

#### 6. स्थानीय निकाय का दायित्व-

- (1) प्रत्येक स्थानीय निकाय स्वयं या अभिकरण या उत्पादक लगाकर प्लास्टिक अपशिष्ट के पृथक्करण या संग्रहण, भंडारण, परिवहन, प्रसंस्करण और व्ययन की अवसंरचना को विकसित करने और स्थापना के लिए उत्तरदायी होगा;
- (2) स्थानीय निकाय अपशिष्ट प्रबंध प्रणाली की स्थापना, प्रचालन और समन्वय के लिए तथा सहयोजित कृत्यों के निर्वहन के लिए उत्तरदायी होगा, अर्थात्;

- (क) प्लास्टिक अपशिष्ट के संग्रहण, भंडारण, पृथक्करण, परिवहन, प्रसंस्करण और व्ययन को सुनिश्चित करना;
  - (ख) यह सुनिश्चित करना कि इस प्रक्रिया के दौरान पर्यावरण को कोई हानि न हो;
  - (ग) पुनःचक्रण करने वाले लोगों के प्रति पुनःचक्रण योग्य प्लास्टिक अपशिष्ट भाग के सरणीकरण को सुनिश्चित करना;
  - (घ) केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी मार्ग निर्देशक सिद्धांतों के अनुसार प्लास्टिक अपशिष्ट के गैर पुनःचक्रण योग्य भाग के प्रसंस्करण और व्ययन को सुनिश्चित करना;
  - (ङ) सभी पणधारियों में उनके उत्तरदायित्व के लिए जागृति पैदा करना;
  - (च) अपशिष्ट चुनने वालों के साथ कार्य कर रहे सिविल सोसायटी या समूहों को लगाना; और
  - (छ) यह सुनिश्चित करना कि प्लास्टिक अपशिष्ट को खुले में न जलाया जाए।
- (3) प्लास्टिक अपशिष्ट प्रबंध के लिए प्रणाली के गठन के लिए स्थानीय निकाय उत्पादकों की सहायता लेगा और इन नियमों को भारत के राजपत्र में अंतिम प्रकाशन की तारीख से एक वर्ष के भीतर ऐसी प्रणाली का गठन किया जाएगा।
- (4) स्थानीय निकाय इन नियमों के प्रावधानों को शामिल करते हुए उप-नियम बनाएगा।

### 7. ग्राम पंचायतों का दायित्व.-

- (1) प्रत्येक ग्राम पंचायत स्वयं या अभिकरण के माध्यम से अपने नियंत्रण के अधीन ग्रामीण क्षेत्र में अपशिष्ट प्रबंधन के लिए और सहयोजित कृत्यों के अनुपालन के लिए स्थापना, प्रचालन और समन्वय करेगा अर्थात्:-
- (क) प्लास्टिक अपशिष्ट का संग्रहण, भंडारण, पृथक्करण, परिवहन और विधिमान्य रजिस्ट्रीकरण रखने वाले पुनःचक्रण करने वाले लोगों के प्रति पुनःचक्रण योग्य प्लास्टिक अपशिष्ट का सरणीकरण सुनिश्चित करना; यह सुनिश्चित करना कि इस प्रक्रिया के दौरान पर्यावरण को कोई हानि न हो;
  - (ख) सभी पणधारियों में उनके उत्तरदायित्व के लिए जागृति पैदा करना;
  - (ग) यह सुनिश्चित करना कि प्लास्टिक अपशिष्ट को खुले में न जलाया जाए।

### 8. अपशिष्ट जनक का उत्तरदायित्व.-

- (1) अपशिष्ट जनक.-
- (क) समय-समय पर यथा संशोधित ठोस अपशिष्ट प्रबंधन नियम, 2000 के अनुसार प्लास्टिक अपशिष्ट के जनन को कम करने और स्रोत पर प्लास्टिक अपशिष्ट को पृथक् करने के कदम उठाएगा।
  - (ख) प्लास्टिक अपशिष्ट को न बिखरने देगा और स्रोत पर अपशिष्ट का पृथक् भंडारण सुनिश्चित करेगा तथा पृथक् अपशिष्ट को शहरी स्थायी निकायों या ग्राम पंचायत या उनके द्वारा नियुक्त एजेंसियों या अपशिष्ट चुनने वालों, रजिस्ट्रीकृत पुनःचक्रणकर्ताओं या अपशिष्ट संग्रहण अभिकरणों को सौंपेगा;
- (2) प्लास्टिक अपशिष्ट के सभी संस्थागत जनक उनके द्वारा जनित अपशिष्ट का पृथक्करण और भंडारण इस अधिनियम या इसके बाद संशोधित अधिनियम के तहत का.आ.908(अ) तारीख 25 सितंबर, 2000 द्वारा अधिसूचित म्युनिसिपल ठोस अपशिष्ट (प्रबंधन और प्रहस्तन) नियम, 2000 के अनुसार करेंगे और पृथक्कृत अपशिष्टकों को स्वयं के या प्राधिकृत अपशिष्ट अभिकरण के माध्यम से प्राधिकृत अपशिष्ट प्रसंस्करण या व्ययन सुविधा या निक्षेपण केन्द्रों को सौंपेंगे।
- (3) सभी अपशिष्ट जनक ऐसी उपयोक्ता फीस या प्रभार अदा करेंगे जो अपशिष्ट संग्रहण या उसकी सुविधा के प्रचालन आदि जैसे प्लास्टिक अपशिष्ट प्रबंधन के लिए स्थानीय निकायों की उपविधियों में विनिर्दिष्ट हो;
- (4) खुली जगह में आयोजन की व्यवस्था करने वाला प्रत्येक उत्तरदायी व्यक्ति जिसमें प्लास्टिक या बहुस्तरीय पैकेजिंग में खाद्य सामग्री की सेवा अंतर्बलित है, ऐसे आयोजनों के दौरान जनित अपशिष्ट का पृथक्करण और प्रबंधन इस अधिनियम या इसके बाद संशोधित अधिनियम के तहत का.आ.908(अ) तारीख 25 सितंबर, 2000 द्वारा अधिसूचित म्युनिसिपल ठोस अपशिष्ट (प्रबंधन और प्रहस्तन) नियम, 2000 के अनुसार करेगा।

### 9. उत्पादकों, आयातकर्ताओं और ब्रांड स्वामियों का दायित्व.-

- (1) उत्पादक इन नियमों के प्रकाशन की तारीख से छह मास की अवधि के भीतर व्यक्तिगत या समूहिक रूप से अपने निजी वितरण चैनल या संबद्ध स्थानीय निकाय के माध्यम से विस्तारित उत्पादक दायित्व पर आधारित अपशिष्ट संग्रहण प्रणाली के लिए राज्य शहरी विकास विभाग को सम्मिलित करते हुए रूपरेखा तैयार करेगा।
- (2) उपयोग में लाए गए बहुस्तरीय प्लास्टिक शैशे या पाउचों या पैकेजिंग के संग्रहण का प्रमुख दायित्व उन उत्पादकों, आयातकर्ताओं और ब्रांड स्वामियों का होगा जो बाजार में उत्पाद को पेश करते हैं। उन्हें अपने उत्पादों के कारण जनित प्लास्टिक अपशिष्ट को वापस संग्रह करने की प्रणाली स्थापित करने की जरूरत है। संग्रह करने की यह योजना स्थापित करने या प्रचालन या नवीकरण के लिए सहमति हेतु आवेदन करते समय राज्य प्रदूषण नियंत्रण बोर्ड को प्रस्तुत करनी होगी। जिन ब्रांड स्वामियों की सहमति का नवीकरण इन नियमों की अधिसूचना से पहले कर दिया गया है वे इन नियमों की अधिसूचना की तारीख से एक वर्ष के अंदर उक्त योजना प्रस्तुत कर देंगे और उसके दो वर्ष बाद लागू कर देंगे।
- (3) पुनःचक्रीकरण न की जा सकने योग्य बहुस्तरीय पैकेजिंग का विनिर्माण एवं उपयोग, यदि कोई हो, दो वर्ष में बंद कर दिया जाएगा।
- (4) उत्पादक राजपत्र में इन नियमों के अंतिम प्रकाशन की तारीख से तीन मास की अवधि के भीतर रजिस्ट्रीकरण की मंजूरी के लिए राज्यों या संबद्ध संघ राज्य क्षेत्रों के प्रशासन के यथास्थिति प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति को आवेदन करेगा।
- (5) कोई उत्पादक राजपत्र में इन नियमों के अंतिम प्रकाशन की तारीख से एक वर्ष की अवधि की समाप्ति पर या इसके पश्चात संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समितियों से रजिस्ट्रीकरण के बिना वस्तुओं के पैकेजिंग के लिए किसी प्लास्टिक या बहुस्तरीय पैकेजिंग का विनिर्माण या उपयोग नहीं करेगा।
- (6) प्रत्येक उत्पादक कैरी बैग या प्लास्टिक शीट या इसी प्रकार या प्लास्टिक शीट या बहुस्तरीय पैकेजिंग के बने कवर के विनिर्माण के लिए कचची सामग्री के रूप में प्रयुक्त प्लास्टिक की आपूर्ति में लगे व्यक्ति के व्यौरों के अभिलेख बनाए रखेगा।

### 10. कंपोस्ट योज्य प्लास्टिक सामग्रियों के लिए नयाचार.- प्लास्टिक सामग्री के अविक्रमित की डिग्री और विघटन की डिग्री का निर्धारण, इन नियमों की अनुसूची-1 में सूचीबद्ध भारतीय मानकों के नयाचारों के अनुसार होगा।

### 11. मार्का या लेबल लगाना.- (1) प्रत्येक प्लास्टिक कैरी बैग और बहुस्तरीय पैकेजिंग पर अंग्रेजी में निम्नलिखित जानकारी मुद्रित की जाएगी, अर्थात् :-

- (क) कैरी बैग की दशा में विनिर्माणकर्ता का नाम, उसका रजिस्ट्रीकरण संख्या और मोटाई; और
- (ख) बहुस्तरीय पैकेजिंग की दशा में विनिर्माणकर्ता का नाम और उसका रजिस्ट्रीकरण संख्या।
- (ग) कंपोस्ट योज्य प्लास्टिक से बने कैरी बैग की दशा में नाम और प्रमाणपत्र सं. [नियम 4(ज)]।

- (2) प्रत्येक पुनःचक्रीत कैरी बैग पर निम्नलिखित रूप में यथादर्शित "पुनःचक्रीत" लेबल या चिन्ह होगा और भारतीय मानके के समय-समय पर यथा संशोधित पुनःचक्रीत प्लास्टिक के लिए मार्गदर्शक नामक विनिर्देश भा.मा.14534:1998 के अनुसार होगा;



**टिप्पण :** पैट-पोलीथाइलिन टेरीफैथेलेट, एचडीईपी-उच्च डेंसिटी पोलीथाइलिन, वी-विनाइल (पीवीसी), एलडीपीई - निम्न डेंसिटी पोलीथाइलिन, पीपी-पोलीप्रोपिलिन, पीएस पोलीस्टायरिन और अन्य से अभिप्रेत सभी अन्य राल और बहुसामग्रियां हैं जैसे एबीएस (एक्रीलोनिट्राइल बूटाडिन स्टायरिन), पीपीओ (पोलीफेननाइलिन आक्साइड), पीपी (पोलीकार्बोनेट), पीवीटी (पोलीबूटीलेन पेरीफेलेट) आदि।

(3) कंपोस्ट योज्य प्लास्टिकों से बने प्रत्येक कैरी बैग पर कंपोस्ट योज्य का लेबल लगा होगा और भारतीय मानक के कंपोस्ट योज्य प्लास्टिक के लिए विनिर्देश नामक विनिर्देश भा.मा./भा.मा.स.17088:2008 के अनुरूप होगा।

**12. विहित प्राधिकारी.-** (1) किसी संघ राज्य क्षेत्र की बाबत राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति रजिस्ट्रीकरण, प्लास्टिक उत्पादों और बहुस्तरीय पैकेजिंग के विनिर्माण, अपशिष्ट प्लास्टिक के प्रसंस्करण और व्ययन से संबंधित इन नियमों के उपबंधों को प्रवृत्त करने के लिए प्राधिकारी होगा;

(2) राज्य या संघ राज्य क्षेत्र के शहरी विभाग का संबद्ध भारसाधक सचिव अपशिष्ट जनक द्वारा अपशिष्ट प्रबंधन, प्लास्टिक कैरी बैग, प्लास्टिक शीट या इसी प्रकार के प्लास्टिक शीटों और बहुस्तरीय पैकेजिंग से बने कवर के उपयोग से संबंधित इन नियमों के उपबंधों को प्रवृत्त करने के लिए प्राधिकारी होगा;

(3) संबद्ध ग्राम पंचायत राज्य सा संघ राज्य क्षेत्र के ग्रामीण क्षेत्रों में अपशिष्ट जनक द्वारा अपशिष्ट प्रबंधन, प्लास्टिक कैरी बैग, प्लास्टिक शीट या इसी प्रकार के प्लास्टिक शीटों और बहुस्तरीय पैकेजिंग से बने कवर के उपयोग से संबंधित इन नियमों के उपबंधों को प्रवृत्त करने के लिए प्राधिकारी होगा;

(4) उप-नियम (1) से (3) में निर्दिष्ट प्राधिकारी इन नियमों के उपबंधों के प्रवर्तन में संबद्ध जिले की अधिकारिता की राज्य क्षेत्र की सीमाओं के भीतर जिला मजिस्ट्रेट या उपायुक्त की सहायता लेगा।

**13. उत्पादक, पुनःचक्रणकर्ता और विनिर्माणकर्ता का रजिस्ट्रीकरण.-** (1) कोई व्यक्ति कैरी बैगों या पुनःचक्रित प्लास्टिक बैगों और बहुस्तरीय प्लास्टिकों का विनिर्माण तब तक नहीं करेगा जब तक कि उसने उत्पादन के प्रारंभ से पूर्व यथास्थिति राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्य क्षेत्र की प्रदूषण नियंत्रण समिति से रजिस्ट्रीकरण प्रमाणपत्र अभिप्राप्त न हो गया हो;

(2) प्रत्येक उत्पादनकर्ता रजिस्ट्रीकरण के लिए या रजिस्ट्रीकरण के नवीकरण के लिए राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्य क्षेत्र की प्रदूषण नियंत्रण समिति को उपाबद्ध प्ररूप 1 का प्रयोग करते हुए आवेदन करेगा।

(3) ऐसा कोई व्यक्ति जो कैरी बैग और बहुस्तरीय प्लास्टिकों या प्लास्टिक अपशिष्ट का पुनःचक्रण करता है या पुनःचक्रण करने के लिए प्रस्ताव करता है, उपाबद्ध प्ररूप 2 का प्रयोग करते हुए पुनःचक्रण यूनिट के लिए रजिस्ट्रीकरण प्रदान करने के लिए या रजिस्ट्रीकरण का नवीकरण करने के लिए राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति को आवेदन करेगा।

(4) उत्पादक द्वारा कच्ची सामग्री के रूप में प्रयुक्त की जाने वाली प्लास्टिक के विनिर्माण में लगे प्रत्येक विनिर्माता प्ररूप 3 में रजिस्ट्रीकरण की मंजूरी या रजिस्ट्रीकरण के नवीकरण के लिए राज्य प्रदूषण नियंत्रण बोर्ड या संबद्ध संघ राज्य क्षेत्र की प्रदूषण नियंत्रण समिति को आवेदन करेगा।

(5) राज्य प्रदूषण नियंत्रण बोर्ड और प्रदूषण नियंत्रण समिति विनिर्माण या पुनःचक्रण यूनिटों के लिए कोई रजिस्ट्रीकरण तब तक जारी नहीं करेगी या उसका नवीकरण नहीं करेगी जब तक कि यूनिट, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 (1974 का 6) और वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (1981 का 14) के अधीन कोई विधिमान्य सहमति नहीं रखती हो और जिला उद्योग केन्द्र या इस संबंध में प्राधिकृत किसी अन्य सरकारी अभिकरण द्वारा जारी रजिस्ट्रीकरण का प्रमाणपत्र न रखती हो।

(6) राज्य प्रदूषण नियंत्रण बोर्ड और प्रदूषण नियंत्रण समिति उत्पादक के रजिस्ट्रीकरण का नवीकरण तब नहीं करेगा जब तक उत्पादक प्लास्टिक अपशिष्ट प्रणाली की स्थापना के लिए संबद्ध राज्य या संघ राज्य क्षेत्र के शहरी विकास के भारसाधक सचिव द्वारा पृष्ठांकित कार्य योजना न रखता हो।

(7) उपनियम (3) के अंतर्गत प्लास्टिक अपशिष्ट के पुनःचक्रण या प्रसंस्करण के रजिस्ट्रीकरण के लिए सभी प्रकार से पूर्ण आवेदन की प्राप्ति पर राज्य प्रदूषण नियंत्रण बोर्ड ऐसी जांच करने के पश्चात जो वह आवश्यक समझे और यह समाधान हो जाने पर कि आवेदक के पास समुचित सुविधाएं तकनीकी योग्यताएं और प्लास्टिक अपशिष्ट से

सुक्षित रूप से निपटने के लिए उपकरण हैं, ऐसी शर्तों के पूरा होने पर आवेदक को रजिस्ट्रीकरण मंजूर कर सकेगा जो रजिस्ट्रीकरण के निबंधनों में अभिकथित की जाएं।

- (8) प्रत्येक राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति, सभी प्रकार से पूर्ण आवेदन की प्राप्ति के नब्बे दिनों के भीतर रजिस्ट्रीकरण प्रदान करने हेतु विनिश्चय करेगा।
- (9) इस नियम के अधीन अनुदत्त रजिस्ट्रीकरण जब तक कि वह विखंडित, निलंबित या रद्द नहीं कर दिया जाता है एक वर्ष की अवधि के लिए विधिमान्य होगा और बाद में उसे तीन वर्ष तक बढ़ाया जा सकता है।
- (10) राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति, रजिस्ट्रीकरण को उत्पादक या प्लास्टिक अपशिष्ट के पुनःचक्रण या प्रसंस्करण में लगे हुए व्यक्ति को सुनवाई का अवसर दिए बिना विखंडित, निलंबित या रद्द नहीं करेगी।
- (11) रजिस्ट्रीकरण के नवीकरण के लिए प्रत्येक आवेदन, रजिस्ट्रीकरण प्रमाणपत्र की विधिमान्यता की समाप्ति से कम से कम एक सौ बीस दिन पूर्व किया जाएगा।

**14. खुदरा विक्रेताओं और पथ विक्रेताओं का दायित्व.-** (1) खुदरा विक्रेता या पथ विक्रेता उपभोक्ता को ऐसे कैरी बैग या प्लास्टिक शीट या बहुस्तरीय पैकेजिंग में वस्तु नहीं बेचेगा या उपलब्ध कराएगा जो इन नियमों के अधीन विहितानुसार विनिर्मित या लेबल लगे या चिन्हित नहीं है।

(2) प्लास्टिक कैरी बैग या बहुस्तरीय पैकेजिंग या प्लास्टिक शीट या इसी प्रकार या ऐसे प्लास्टिक शीट से बने जो इन नियमों के अनुसार विनिर्मित या लेबलित या चिन्हित नहीं है, में वस्तुओं को बेचने या उपलब्ध कराने वाला प्रत्येक खुदरा विक्रेता या पथ विक्रेता ऐसा जुर्माना देने का दायी होगा जो स्थानीय निकायों की विधियों में विनिर्दिष्ट हो।

**15. कैरी बैगों की कीमत सुनिश्चित करना.-** (1) जो दुकानदार और पथ विक्रेता किसी वस्तु को वितरित करने के लिए प्लास्टिक के कैरी बैग उपलब्ध कराना चाहते हैं उन्हें स्थानीय निकाय के पास पंजीकरण करना होगा। स्थानीय निकाय, भारत के राजपत्र में इन नियमों के प्रकाशित होने की तारीख से छह माह की अवधि के अंदर, चार हजार रुपये प्रतिमाह की दर से न्यूनतम अड़तालीस हजार रुपये का प्लास्टिक प्रबंधन शुल्क का भुगतान करने के बाद ऐसे पंजीकरण के लिए अपने राज्य के उपयुक्त कानून या उपनियमों के तहत अधिसूचना या आदेश के द्वारा प्रावधान करेगा। संबंधित स्थानीय निकाय उत्पादन या बिक्री क्षमता को ध्यान में रखते हुए अधिक प्लास्टिक अपशिष्ट प्रबंधन शुल्क निर्धारित कर सकता है। पंजीकृत दुकानदार प्रमुख स्थान पर प्रदर्शित करेगा कि प्लास्टिक कैरी बैग भुगतान करने पर दिए जाते हैं।

(2) वस्तुओं का वितरण करने के लिए प्लास्टिक कैरी बैग उपलब्ध कराने के लिए केवल पंजीकृत दुकानदार या पथ विक्रेता पात्र होंगे।

(3) शहरी स्थानीय निकाय कैरी बैगों के लिए उपभोक्ताओं द्वारा संदत रकम का अनन्यतः उपयोग अपनी अधिकारिताओं के भीतर अपशिष्ट प्रबंधन प्रणाली की संधार्यता के लिए करेगा।

**16. राज्य स्तरीय मॉनीटरिंग समिति.-** (1) राज्य सरकार या संघ राज्य क्षेत्र, इन नियमों के क्रियान्वयन के प्रभावी मॉनीटरिंग करने के प्रयोजन के लिए राज्य स्तरीय सलाहकार समिति का गठन करेगा जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात :-

(क)	सचिव, शहरी विकास विभाग	-	अध्यक्ष
(ख)	राज्य पर्यावरण विभाग से निदेशक	-	सदस्य
(ग)	राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति से सदस्य सचिव	-	सदस्य
(घ)	म्युनिसिपल कमीशनर	-	सदस्य
(ङ)	स्थानीय निकाय से एक विशेषज्ञ		सदस्य
(च)	गैर सरकारी संगठन से एक विशेषज्ञ जो अपशिष्ट प्रबंधन में शामिल हो	-	सदस्य
(छ)	कमीशनर वैल्यु ऐडेड टैक्स या उसका प्रतिनिधि	-	सदस्य
(ज)	बिक्री कर कमीशनर या अधिकारी	-	सदस्य
(झ)	प्लास्टिक संघ, ड्रग मॅन्युफैक्चरर एसोसिएशन, केमिकल मॅन्युफैक्चरर	-	सदस्य

एसोसिएशन का प्रतिनिधि

- |     |                                         |   |        |
|-----|-----------------------------------------|---|--------|
| (ज) | उद्योग क्षेत्र से एक विशेषज्ञ           | - | सदस्य  |
| (ट) | शिक्षा संस्था के क्षेत्र से एक विशेषज्ञ | - | सदस्य  |
| (ठ) | निदेशक, म्युनिसिपल प्रशासन              | - | संयोजक |

राज्य स्तरीय सलाहकार निकाय छह माह में कम से कम एक बार बैठक करेगा और यदि वह आवश्यक समझता है तो विशेषज्ञों को आमंत्रित कर सकेगा।

- 17. वार्षिक रिपोर्टें.-** (1) प्लास्टिक अपशिष्ट के पुनःचक्रण या प्रसंस्करण में लगा प्रत्येक व्यक्ति प्ररूप 4 में वार्षिक रिपोर्ट्स तैयार करेगा और प्रत्येक वर्ष के 30 अप्रैल तक संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड प्रदूषण नियंत्रण समिति की सूचना के अधीन संबद्ध शहरी स्थानीय निकाय को प्रस्तुत करेगा।
- (2) प्रत्येक शहरी स्थानीय निकाय प्रत्येक वर्ष की 30 जून संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड प्रदूषण नियंत्रण समिति की सूचना के अधीन शहरी विकास के संबद्ध भारसाधक सचिव को प्ररूप-5 में वार्षिक रिपोर्ट तैयार करेगा और प्रस्तुत करेगा।
- (3) प्रत्येक राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण समिति, प्रत्येक वर्ष 31 जुलाई तक इन नियमों के क्रियान्वयन पर प्ररूप-VI में वार्षिक रिपोर्ट तैयार करेगा और केन्द्रीय प्रदूषण नियंत्रण बोर्ड को प्रस्तुत करेगा।
- (4) केन्द्रीय प्रदूषण नियंत्रण बोर्ड, प्लास्टिक अपशिष्टों के उपयोग और प्रबंधन पर समेकित एक वार्षिक रिपोर्ट तैयार करेगा और उसको प्रत्येक वर्ष 31 अगस्त से पूर्व अपनी सिफारिशों के साथ केन्द्रीय सरकार को अग्रेषित करेगा।

### अनुसूची-I

(नियम 10 देखें)

1.	भा.मा./भा.मा.स.14851:1999 जलीय माध्यम से प्लास्टिक सामग्री की अंतिम (अल्टीमेट) ऑक्सी जैव विघटनीयता ज्ञात करना - बंद रेसपीरोमीटर में ऑक्सीजन की आवश्यकता मापन द्वारा पद्धति
2.	भा.मा./भा.मा.स.14852:1999 जलीय माध्यम में प्लास्टिक सामग्री की अंतिम (अल्टीमेट) ऑक्सी विघटनीयता ज्ञात करना - उत्पन्न कार्बन डाइऑक्साइड के विश्लेषण द्वारा पद्धति
3.	भा.मा./भा.मा.स.14853:2005 प्लास्टिक - जलीय तंत्र में प्लास्टिक सामग्री की अंतिम (अल्टीमेट) ऑक्सी जैव विघटनीयता ज्ञात करना - बायोगैस उत्पादन के मापन द्वारा पद्धति
4.	भा.मा./भा.मा.स.14855-1:2005 नियंत्रिक संघटक स्थितियों में प्लास्टिक सामग्री की अंतिम (अल्टीमेट) ऑक्सी जैव विघटनीयता ज्ञात करना - उत्पन्न कार्बन डाइऑक्साइड के विश्लेषण द्वारा पद्धति (भाग-1 सामान्य पद्धति)
5.	भा.मा./भा.मा.स.14855-2:2007 नियंत्रिक संघटक स्थितियों में प्लास्टिक सामग्री की अंतिम (अल्टीमेट) ऑक्सी जैव विघटनीयता ज्ञात करना - उत्पन्न कार्बन डाइऑक्साइड के विश्लेषण द्वारा पद्धति (भाग-2; प्रयोगशाला-स्केल परीक्षण में उत्पन्न कार्बन डाइऑक्साइड का भारात्मक मापन)
6.	भा.मा./भा.मा.स.15985:2004 प्लास्टिक - 4उच्च ठोसता की अनाँक्सी (एनोरोबिक) डाइजेशन स्थितियों में अंतिम (अल्टीमेट) अनाँक्सी (एनोरोबिक) जैव विघटनीयता एवं विघटन ज्ञात करना - निकली बायोगैस की विश्लेषण पद्धति
7.	भा.मा./भा.मा.स.16929:2002 प्लास्टिक - पायलट मापन परीक्षण में परिभाषित संघटक स्थितियों में प्लास्टिक सामग्री के विघटन का स्तर ज्ञात करना
8.	भा.मा./भा.मा.स.17556:2003 प्लास्टिक - रेसपीरोमीटर में ऑक्सीजन की आवश्यकता अथवा उत्पन्न कार्बन डाइऑक्साइड के मापन द्वारा मूदा में अंतिम (अल्टीमेट) ऑक्सी जैव विघटनीयता ज्ञात करना
9.	भा.मा./भा.मा.स.20200:2004 प्लास्टिक - प्रयोगशाला में अनुरूपी कंपोस्टिंग स्थितियों में प्लास्टिक सामग्रियों के विघटन का स्तर ज्ञात करना - स्केल परीक्षण

### प्ररूप-I

[नियम 13(2) देखें]

### उत्पादकों या ब्रांड स्वामियों के रजिस्ट्रीकरण के लिए आवेदन

प्रेषक .....

.....

..... (अधिष्ठाता का नाम और पूरा पता)

सेवा में,

सदस्य सचिव,

..... प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति

.....

.....

महोदय,

मैं/हम प्लास्टिक अपशिष्ट (प्रबंधन) नियम, 2015 के नियम 9 के अधीन पंजीकरण के लिए आवेदन करता हूँ/करते हैं।

### 1. उत्पादक

<b>भाग-क</b> साधारण		
1. (क)	इकाई का नाम और अवस्थिति	
(ख)	इकाई का नाम	
(ग)	निम्नलिखित के विनिर्माण के लिए अपेक्षित पंजीकरण : (i) कैरी बैग [(क) पैट्रो आधारित, (ख) कंपोस्ट योज्य] (ii) बहुस्तरीय प्लास्टिक	
(घ)	विनिर्माण क्षमता	
(ङ.)	नवीकरण की दशा में, पूर्व रजिस्ट्रीकरण संख्या और रजिस्ट्रीकरण की तारीख	
2.	क्या इकाई, राज्य सरकार/संघ राज्य क्षेत्र प्रशासन में जिला उद्योग केन्द्र में रजिस्ट्रीकरण है? यदि हां, तो प्रति संलग्न करें।	
3. (क)	परियोजना पर निवेशित कुल पूंजी	
(ख)	उत्पादन आरंभ करने का वर्ष	
4. (क)	उत्पादों और उप उत्पादों की सूची और मात्रा	
(ख)	प्रयुक्त कच्ची सामग्री की सूची और मात्रा	
5.	उत्पादों और उत्पादित अपशिष्ट निबंधनों में जिसके अधीन केप्टिव विद्युत उत्पादन और जल भी है, निवेश और उत्पादन को दर्शित करते हुए विनिर्माणकारी प्रक्रिया का एक प्रवाहित डायग्राम प्रस्तुत करें।	
6.	इन नियमों के अनुपालन की प्रास्थिति - मोटाई - पचास माइक्रोन (हां/नहीं)	
<b>भाग-ख</b> द्रव बहिस्त्राव और गैसीय उत्सर्जन से संबंधित		
7.	(क) क्या इकाई, जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 (1974 का 6) के अधीन विधिमान्य सहमति रखती है? यदि हां, तो प्रति संलग्न करें।	
	(ख) क्या इकाई, वायु (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1981 (1981 का 14) के अधीन विधिमान्य सहमति रखती है? यदि हां, तो प्रति संलग्न करें।	
<b>भाग-ग</b>		

अपशिष्ट से संबंधित	
8.	ठोस अपशिष्ट : (क) उत्पादित अपशिष्ट की कुल मात्रा (ख) संयंत्र के भीतर भंडारण की पद्धति (ग) अपशिष्टों के व्ययन के लिए किए गए अपबंध
9.	कैरी बैग अथवा समान प्रकार की प्लास्टिक शीट अथवा बहुस्तरीय पैकेजिंग के विनिर्माण के लिए कच्ची सामग्री के रूप में प्रयुक्त किए जाने के लिए प्लास्टिक की आपूर्ति करने वाले व्यक्तियों की सूची संलग्न करें/उपलब्ध कराएं।
10.	उन कार्मिकों या ब्रांड स्वामियों की सूची संलग्न करें/उपलब्ध कराएं जिन्हें उत्पादों की आपूर्ति की जाएगी
11.	प्लास्टिक अपशिष्ट का वापस संग्रहण करने की कार्य योजना
नाम और हस्ताक्षर पदनाम	
तारीख :	
स्थान :	

## II ब्रांड स्वामी

भाग-क सामान्य	
1.	नाम, पता और संपर्क नम्बर
2.	नवीकरण की दशा में पिछला रजिस्ट्रीकरण नम्बर और रजिस्ट्रीकरण की तारीख
3.	क्या इकाई राज्य सरकार या संघ राज्य क्षेत्र के जिला उद्योग केन्द्र या डीसीएसएसआई में रजिस्ट्रीकृत है? यदि हां, तो प्रति संलग्न करें।
4.(क)	परियोजना में निवेशित कुल पूंजी
(ख)	उत्पादन प्रारंभ करने का वर्ष
5.(क)	उत्पादों और उप उत्पादों की सूची और मात्रा
(ख)	प्रयुक्त कच्ची सामग्री की सूची और मात्रा
भाग - ख द्रव बहिष्काव और गैसीय उत्सर्जन से संबंधित	
5.	(क) क्या इकाई, जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 (1974 का 6) के अधीन विधिमान्य सहमति रखती है? यदि हां, तो प्रति संलग्न करें।
6.	(ख) क्या इकाई, वायु (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1981 (1981 का 14) के अधीन विधिमान्य सहमति रखती है? यदि हां, तो प्रति संलग्न करें।

भाग-ग अपशिष्ट से संबंधित	
7.	ठोस अपशिष्ट : (क) उत्पादित अपशिष्ट की कुल मात्रा (ख) संयंत्र के भीतर भंडारण की पद्धति (ग) अपशिष्टों के व्ययन के लिए किए गए अपबंध

8.	उन कार्मिकों या ब्रांड स्वामियों की सूची संलग्न करें/उपलब्ध कराएं जिन्हें उत्पादों की आपूर्ति की जाएगी	
9.	प्लास्टिक अपशिष्ट का वापस संग्रहण करने की कार्य योजना	
तारीख : स्थान :		नाम और हस्ताक्षर पदनाम

## प्रपत्र - II

## [नियम 13 (3) देखें]

## प्लास्टिक अपशिष्ट के प्रसंस्करण एवं पुनर्चक्रण में संलग्न इकाइयों के पंजीकरण हेतु आवेदन-प्रपत्र

1.	इकाई का नाम और पता				
2.	संपर्क व्यक्ति, पदनाम, टेलीफोन/फैक्स/ई-मेल सहित				
3.	प्रारंभ किए जाने की तारीख				
4.	कर्मचारों की संख्या (संविदा श्रम सहित)				
5.	सहमति विधिमान्यता	क. जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 ..... तक विधिमान्य ख. वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 ..... तक विधिमान्य ग. प्राधिकरण ; ..... तक विधिमान्य			
6.	विनिर्माण प्रक्रिया	कृपया विनिर्माण, प्रक्रिया का प्रवाहित डायग्राम संलग्न करें प्रत्येक उत्पाद के लिए प्रवाहित डायग्राम।			
7.	उत्पाद और उत्पादन की संस्थित क्षमता (एमटीए)	उत्पाद	संस्थित क्षमता		
8.	अपशिष्ट प्रबंधन	क्रम सं.	किस्म	श्रेणी	मात्रा
	क. प्लास्टिक अपशिष्ट में अपशिष्ट जनन	(i)			
		(ii)			
		(iii)			
	ख. अपशिष्ट संग्रह और परिवहन (विवरण संलग्न करें)				
	ग. अपशिष्ट निपटान का विवरण	क्रम सं.	किस्म	श्रेणी	मात्रा
(i)					
(ii)					
घ. निपटान सुविधा का ब्यौरा उपलब्ध कराएं, क्या सुविधा एसपीसीबी या पीसीसी द्वारा प्राधिकृत है					
ड. कृपया जनित अपशिष्ट के वर्गीकरण की विश्लेषण रिपोर्ट संलग्न करें (यदि लागू हो तो लीचेट परीक्षण सहित)					
9.	कच्ची सामग्री के रूप में उपयोग के लिए, यथा स्थिति, विक्री, नीलामी, संविदा या आयात के जरिए अर्जित होने वाले प्रस्तावित प्लास्टिक अपशिष्ट का ब्यौरा	(i) नाम			
		(ii) प्रति वर्ष अपेक्षित मात्रा			
10.	व्यावसायिक सुरक्षा और स्वास्थ्य संबंधी पहलू	कृपया सुविधाओं का ब्यौरा दें			
11.	प्रदूषण नियंत्रण के उपाय				
	क्या उत्सर्जन या बहिःस्राव के मानकों को पूरा करने के				

	लिए इकाई के पास पर्याप्त प्रदूषण नियंत्रण प्रणालियां या उपस्कर है।	
	क्या इकाई उक्त नियमों में निर्धारित शर्तों का अनुपालन करती है।	
	क्या हथालन अथवा प्रसंस्कृत की जारी सामग्री के पर्यावरण पर पड़ने वाले तत्काल या विलंब से पड़ने वाले प्रतिकूल प्रभाव के लिए परिस्थितियां विद्यमान हैं या विद्यमान होने की संभावना है।	
	क्या हथालन अथवा प्रसंस्कृत की जा रही सामग्री किसी भी साधन से अन्य सामग्री (अर्थात् लीचेट) उत्पन्न करने में सक्षम है, उसके लिए परिस्थितियां विद्यमान हैं (या विद्यमान होने की संभावना है जिसमें विषाक्तता हो सकती है)	
12.	कोई अन्य प्रासंगिक सूचना, जिसमें अग्नि या दुर्घटना प्रशमनकारी उपाय शामिल है	
13.	नियमानुसार संलग्नों की सूची	

नाम और हस्ताक्षर

पदनाम

तारीख :

स्थान :

**प्ररूप-III**

[नियम 13(4) देखें]

**अपरिष्कृत प्लास्टिक विनिर्माताओं के लिए पंजीकरण हेतु आवेदन पत्र**

प्रेषक .....

.....

..... (अधिष्ठाता का नाम और पूरा पता)

सेवा में,

सदस्य सचिव,

..... प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति

.....

.....

महोदय,

मैं/हम प्लास्टिक अपशिष्ट प्रबंधन नियम, 2011 के अंतर्गत पंजीकरण हेतु आवेदन करता हूँ/करते हैं।

भाग-क		
सामान्य		
1. (क)	इकाई का नाम और अवस्थिति	
(ख)	इकाई का पता	
(ग)	नवीकरण के मामले में, पिछली रजिस्ट्रीकरण संख्या और रजिस्ट्रीकरण की तारीख	
2.	क्या यह इकाई राज्य सरकार/संघ राज्य क्षेत्र की डीआईसी/डीसीएसएसआई में रजिस्ट्रीकृत है? यदि हो, तो	

	रजिस्ट्रीकरण की प्रति संलग्न करें।	
3. (क)	परियोजना पर निवेश की गई कुल पूंजी	
(ख)	उत्पादन शुरू करने का वर्ष	
(ग)	उत्पादकों की सूची और उत्पादकों को आपूर्ति किए गए कच्चे माल की प्रमात्रा	
तारीख : स्थान :		नाम और हस्ताक्षर पदनाम

**प्ररूप-IV**

(नियम 17(1) देखें)

**स्थानीय निकाय को प्लास्टिक प्रसंस्करण या पुनःचक्रण सुविधा के प्रचालनकर्ता द्वारा प्रस्तुत की जाने वाली वार्षिक रिपोर्ट का प्रपत्र****रिपोर्टिंग की अवधि :**

(1)	सुविधा के प्रचालकता का नाम और पता	
(2)	सुविधा के प्रभारी अधिकारी का नाम (दूरभाष/फैक्स/मोबाइल/ई-मेल)	
(3)	क्षमता :	
(4)	प्लास्टिक अपशिष्ट के प्रबंधन हेतु प्रयुक्त प्रौद्योगिकियां :	
(5)	प्रस्तुत रिपोर्ट के वर्ष के दौरान प्राप्त प्लास्टिक अपशिष्ट की प्रमात्रा तथा उसका स्रोत	
(6)	प्रसंस्कृत प्लास्टिक अपशिष्ट की प्रमात्रा (टनों में) : - पुनर्चक्रित प्लास्टिक अपशिष्ट (टन में) - प्रसंस्कृत प्लास्टिक अपशिष्ट (टन में) - उपयोग में लाया गया (टन में)	
(7)	खत्ता स्थलों में अंतिम निपटान हेतु भेजे गए बेकार/अस्वीकृत अपशिष्टों की प्रमात्रा :	
(8)	उस खत्ता सुविधा का ब्यौरा जहां बेकार/अस्वीकृत अपशिष्टों को अंतिम निपटान हेतु भेजा गया है : - पता - दूरभाष	
(9)	सहमति प्रदान करने या पंजीकरण के दौरान यदि कोई पर्यावरणीय शर्त विनिर्दिष्ट की गई हो तो उसके अनुपालन की स्थिति संलग्न करें।	

प्रचालनकर्ता के हस्ताक्षर

तारीख :

स्थान :

**प्ररूप-V**

(नियम 17(2) देखें)

**स्थानीय निकाय द्वारा प्रस्तुत की जाने वाली प्लास्टिक अपशिष्ट प्रबंधन संबंधी वार्षिक रिपोर्ट का प्रपत्र**

**रिपोर्ट प्रस्तुत करने की अवधि :**

(1)	शहर/नगर और राज्य का नाम	
(2)	जनसंख्या	
(3)	वर्ग किलोमीटर में क्षेत्र	
(4)	स्थानीय निकाय का नाम और पता टेलीफोन सं. फैक्स सं. ई-मेल :	
(5)	क्षेत्राधिकार के अंतर्गत क्षेत्र में বাড়ों की कुल संख्या	
(6)	क्षेत्राधिकार के अंतर्गत क्षेत्र में घरों की कुल संख्या	
(7)	घर-घर जाकर किए गए एकत्र करने में शामिल घरों की संख्या	
(8)	क्षेत्राधिकार के अंतर्गत क्षेत्र में वाणिज्यिक संस्थाओं और संस्थानों की कुल संख्या - वाणिज्यिक संस्थाएं - संस्थान	
(9)	प्रत्येक संस्थान/संस्थान में जाकर एकत्र करने के लिए सम्मिलित वाणिज्यिक संस्थाओं और संस्थानों की संख्या - वाणिज्यिक संस्थाएं - संस्थान	
(10)	घर-घर जाकर एकत्रण में शामिल एजेंसियों के ब्यौरे सहित क्षेत्राधिकार के अंतर्गत क्षेत्र में प्लास्टिक अपशिष्ट के प्रबंधन हेतु तैयार किए गए तंत्रों का सारांश	
(11)	क्षेत्राधिकार के अंतर्गत क्षेत्र में उत्पन्न प्लास्टिक अपशिष्ट के प्रबंधन हेतु तैयार की गई अवसंरचना का ब्यौरा संलग्न करें	
(12)	अपेक्षित अवसंरचना, यदि कोई हो, के औचित्य सहित उसका ब्यौरा संलग्न करें	
(13)	क्षेत्राधिकार के अंतर्गत वर्ष के दौरान उत्पन्न प्लास्टिक अपशिष्ट की मात्रा (टन में)	
(14)	क्षेत्राधिकार के अंतर्गत क्षेत्र से वर्ष के दौरान एकत्रित किए गए प्लास्टिक अपशिष्ट की मात्रा (टन में)	
(15)	वर्ष के दौरान पुनर्चक्रण हेतु भेजे गए प्लास्टिक अपशिष्ट की मात्रा (टन में)	
(16)	वर्ष के दौरान उपयोग हेतु भेजे गए प्लास्टिक अपशिष्ट की मात्रा (टन में)	
(17)	वर्ष के दौरान भू-भराव स्थलों को भेजे गए बेकार/अस्वीकृत प्लास्टिक अपशिष्ट की मात्रा (टन में)	
(18)	प्लास्टिक अपशिष्ट के प्रसंस्करण और निपटान हेतु प्रयुक्त प्रत्येक सुविधा का ब्यौरा <b>सुविधा-1</b> i) प्रचालक का नाम ii) टेलीफोन नंबर/मोबाइल नंबर सहित पता iii) क्षमता iv) प्रयुक्त प्रौद्योगिकी v) पंजीकरण संख्या	



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[फा. सं. 17-2/2001-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 18th March, 2016

**G.S.R. 320(E).**—Whereas the Plastic Waste (Management and Handling) Rules, 2011 published *vide* notification number S.O 249(E), dated 4<sup>th</sup> February, 2011 by the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time, provided a regulatory frame work for management of plastic waste generated in the country;

And whereas, to implement these rules more effectively and to give thrust on plastic waste minimization, source segregation, recycling, involving waste pickers, recyclers and waste processors in collection of plastic waste fraction either from households or any other source of its generation or intermediate material recovery facility and adopt polluter's pay principle for the sustainability of the waste management system, the Central Government reviewed the existing rules;

And whereas, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the draft rules, namely, the Plastic Waste Management, Rules, 2015 were published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number G.S.R. 423(E), dated the 25<sup>th</sup> May, 2015 in the Gazette of India, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And Whereas copies of the said Gazette were made available to the public on the 25<sup>th</sup> May, 2015;

And Whereas the objections and suggestions received within the said period from the public in respect of the said draft rules have been duly considered by the Central Government;

NOW, Therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Plastic Waste (Management and Handling) Rules, 2011, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

**1. Short title and commencement.-** (1) These rules shall be called the Plastic Waste Management Rules, 2016.

(1) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

**2. Application.-**(1) These rules shall apply to every waste generator, local body, Gram Panchayat, manufacturer, Importers and producer.

(2) The rule 4 shall not apply to the export oriented units or units in special economic zones, notified by the Central Government, manufacturing their products against an order for export: Provide this exemption shall not apply to units engaged in packaging of gutkha, tobacco and pan masala and also to any surplus or rejects, left over products and the like.

**3. Definitions.-** In these rules, unless the context otherwise requires.-

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "brand owner" means a person or company who sells any commodity under a registered brand

label.

- (c) **“carry bags”** mean bags made from plastic material or compostable plastic material, used for the purpose of carrying or dispensing commodities which have a self carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use.
- (d) **“commodity”** means tangible item that may be bought or sold and includes all marketable goods or wares;
- (e) **“compostable plastics”** mean plastic that undergoes degradation by biological processes during composting to yield CO<sub>2</sub>, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;
- (f) **“consent”** means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee granted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);
- (g) **“disintegration”** means the physical breakdown of a material into very small fragments;
- (h) **“extended producer’s responsibility ”** means the responsibility of a producer for the environmentally sound management of the product until the end of its life;
- (i) **“food-stuffs”** mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
- (j) **“facility”** means the premises used for collection, Storage, recycling, processing and disposal of plastic waste;
- (k) **“importer”** means a person who imports or intends to import and holds an Importer -Exporter Code number, unless otherwise specifically exempted.
- (l) **“institutional waste generator”** means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organisation, academy, hotels, restaurants, malls and shopping complexes;
- (m) **“manufacturer”** means and include a person or unit or agency engaged in production of plastic raw material to be used as raw material by the producer.
- (n) **“multilayered packaging”** means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, metalised layers or aluminium foil, either in the form of a laminate or co-extruded structure;
- (o) **“plastic”** means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, Polybutylene terephthalate;
- (p) **“plastic sheet”** means Plastic sheet is the sheet made of plastic;
- (q) **“plastic waste”** means any plastic discarded after use or after their intended use is over;
- (r) **“prescribed authority”** means the authorities specified in rule 12;
- (s) **“producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity;
- (t) **“recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products;

- (u) **"registration"** means registration with the State Pollution Control Board or Pollution Control Committee concerned, as the case may be;
- (v) **"street vendor"** shall have the same meaning as assigned to it in clause (l) of sub-section (1) of Section 2 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (7 of 2014);
- (w) **"local body"** means urban local body with different nomenclature such as municipal corporation, municipality, nagarpalika, nagarnigam, nagarpanchayat, municipal council including notified area committee (NAC) and not limited to or any other local body constituted under the relevant statutes such as gram panchayat, where the management of plastic waste is entrusted to such agency;
- (x) **"virgin plastic"** means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;
- (y) **"waste generator"** means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defense establishments which generate plastic waste;
- (z) **"waste management"** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;
- (aa) **"waste pickers"** mean individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste.

**4. Conditions.-** (1) The manufacture, importer stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheet and multilayered packaging, shall be subject to the following conditions, namely:-

- a) carry bags and plastic packaging shall either be in natural shade which is without any added pigments or made using only those pigments and colourants which are in conformity with Indian Standard : IS 9833:1981 titled as "List of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water", as amended from time to time;
- b) Carry bags made of recycled plastic or products made of recycled plastic shall not be used for storing, carrying, dispensing or packaging ready to eat or drink food stuff;
- c) carry bag made of virgin or recycled plastic, shall not be less than fifty microns in thickness;
- d) plastic sheet or like, which is not an integral part of multilayered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except where the thickness of such plastic sheets impair the functionality of the product;
- e) the manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer, not having valid registration from the concerned State Pollution Control Boards or Pollution Control Committee;
- f) sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;
- g) recycling of plastic waste shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- h) The provision of thickness shall not be applicable to carry bags made up of compostable plastic. Carry bags made from compostable plastics shall conform to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time. The manufacturers or seller of compostable plastic carry bags shall obtain a certificate from the Central Pollution Control Board before marketing or selling; and
- i) plastic material, in any form including Vinyl Acetate - Maleic Acid - Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms.

**5. Plastic waste management.-** (1) The plastic waste management by the urban local bodies in their respective jurisdiction shall be as under:-

- (a) plastic waste, which can be recycled, shall be channelized to registered plastic waste recycler and recycling of plastic shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time.
- (b) local bodies shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines or energy recovery or waste to oil etc. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with.
- (c) Thermo set plastic waste shall be processed and disposed off as per the guidelines issued from time to time by the Central Pollution Control Board.
- (d) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2000 or as amended from time to time.

**6. Responsibility of local body.-** (1) Every local body shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.

(2) The local body shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions, namely:-

- (a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste;
  - (b) ensuring that no damage is caused to the environment during this process;
  - (c) ensuring channelization of recyclable plastic waste fraction to recyclers;
  - (d) ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board;
  - (e) creating awareness among all stakeholders about their responsibilities;
  - (f) engaging civil societies or groups working with waste pickers; and
  - (g) ensuring that open burning of plastic waste does not take place.
- (3) The local body for setting up of system for plastic waste management shall seek assistance of producers and such system shall be set up within one year from the date of final publication of these rules in the Official Gazette of India.
- (4) The local body to frame bye-laws incorporating the provisions of these rules.

**7. Responsibility of Gram Panchayat.-** (1) Every gram panchayat either on its own or by engaging an agency shall set up, operationalise and co-ordinate for waste management in the rural area under their control and for performing the associated functions, namely,-

- (a) ensuring segregation, collection, storage, transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment during this process;
- (b) creating awareness among all stakeholders about their responsibilities; and
- (c) ensuring that open burning of plastic waste does not take place

**8. Responsibility of waste generator.-** (1) The waste generator shall.-

- (a) take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2000 or as amended from time to time.
  - (b) not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;
- (2) All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time and handover

segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency.

(3) All waste generators shall pay such user fee or charge as may be specified in the bye-laws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;

(4) Every person responsible for organising an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide

S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time.

**9. Responsibility of producers, Importers and Brand Owners.-** (1) The producers, within a period of six months from the date of publication of these rules, shall work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development Departments, either individually or collectively, through their own distribution channel or through the local body concerned.

(2) Primary responsibility for collection of used multi-layered plastic sachet or pouches or packaging is of Producers, Importers and Brand Owners who introduce the products in the market. They need to establish a system for collecting back the plastic waste generated due to their products. This plan of collection to be submitted to the State Pollution Control Boards while applying for Consent to Establish or Operate or Renewal. The Brand Owners whose consent has been renewed before the notification of these rules shall submit such plan within one year from the date of notification of these rules and implement with two years thereafter.

(3) manufacture and use of non- recyclable multilayered plastic if any should be phased out in Two years time.

(4) The producer, within a period of three months from the date of final publication of these rules in the Official Gazette shall apply to the Pollution Control Board or the Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration.

(5) No producer shall on and after the expiry of a period of Six Months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned State Pollution Control Board or the Pollution Control Committees.

(6) Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multilayered packaging.

**10. Protocols for compostable plastic materials.-**Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule-I to these rules.

**11. Marking or labelling.-**(1) Each plastic carry bag and multilayered packaging shall have the following information printed in English namely,-

- (a) name, registration number of the manufacturer and thickness in case of carry bag;
- (b) name and registration number of the manufacturer in case of multilayered packaging; and
- (c) name and certificate number [Rule 4(h)] in case of carry bags made from compostable plastic

(2) Each recycled carry bag shall bear a label or a mark "recycled" as shown below and shall conform to the Indian Standard: IS 14534: 1998 titled as "Guidelines for Recycling of Plastics", as amended from time to time;



NOTE: PET-Polyethylene terephthalate, HDPE-High density polyethylene, V-Vinyl (PVC), LDPE- Low density polyethylene, PP-Polypropylene, PS-Polystyrene and Other means all other resins and multi-materials like ABS (Acrylonitrile butadiene styrene), PPO (Polyphenylene oxide), PC (Polycarbonate), PBT (Polybutylene terephthalate) etc.

Each carry bag made from compostable plastics shall bear a label “compostable” and shall conform to the Indian Standard : IS or ISO 17088:2008 titled as Specifications for “Compostable Plastics”.

**12. Prescribed authority.-** (1) The State Pollution Control Board and Pollution Control Committee in respect of a Union territory shall be the authority for enforcement of the provisions of these rules relating to registration, manufacture of plastic products and multilayered packaging, processing and disposal of plastic wastes.

(2) The concerned Secretary-in-charge of Urban Development of the State or a Union Territory shall be the authority for enforcement of the provisions of these rules relating to waste management by waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging.

(3) The concerned Gram Panchayat shall be the authority for enforcement of the provisions of these rules relating to waste management by the waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging in the rural area of the State or a Union Territory.

(4) The authorities referred to in sub-rules (1) to (3) shall take the assistance of the District Magistrate or the Deputy Commissioner within the territorial limits of the jurisdiction of the concerned district in the enforcement of the provisions of these rules.

**13. Registration of producer, recyclers and manufacturer,-** (1) No person shall manufacture carry bags or recycle plastic bags or multilayered packaging unless the person has obtained a registration from the State Pollution Control Board or the Pollution Control Committee of the Union Territory concerned, as the case may be, prior to the commencement of production;

(2) Every producer shall, for the purpose of registration or for renewal of registration, make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, in Form I

(3) Every person recycling or processing waste or proposing to recycle or process plastic waste shall make an application to the State Pollution Control Board or the Pollution Control Committee, for grant of registration or renewal of registration for the recycling unit, in Form II.

(4) Every manufacturer engaged in manufacturer of plastic to be used as raw material by the producer shall make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, for the grant of registration or for the renewal of registration, in Form III.

(5) The State Pollution Control Board or the Pollution Control Committee shall not issue or renew registration to plastic waste recycling or processing units unless the unit possesses a valid consent under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) along with a certificate of registration issued by the District Industries Centre or any other Government agency authorised in this regard.

(6) The State Pollution Control Board or the Pollution Control Committee shall not renew registration of producer unless the producer possesses and action plan endorsed by the Secretary in charge of Urban Development of the concerned State or Union Territory for setting of plastic waste management system.

(7) On receipt of the application complete in all respects for the registration for recycling or processing of plastic waste under sub-rule (3), the State Pollution Control Board may, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle plastic waste safely, may grant registration to the applicant on fulfilment of the conditions as may be laid down in terms of registration.

(8) Every State Pollution Control Board or Pollution Control Committee shall take a decision on the grant of registration within ninety days of receipt of an application which is complete in all respects.

(9) The registration granted under this rule shall initially be valid for a period of one year, unless revoked, suspended or cancelled and shall subsequently be granted for three years.

(10) State Pollution Control Board or the Pollution Control Committees shall not revoke, suspend or cancel registration without providing the opportunity of a hearing to the producer or person engaged in recycling or processing of plastic wastes.

(11) Every application for renewal of registration shall be made at least one hundred twenty days before the expiry of the validity of the registration certificate.

**14. Responsibility of retailers and street vendors-** (1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multilayered packaging, which are not manufactured and labelled or marked, as per prescribed under these rules.

(2) Every retailers or street vendors selling or providing commodities in, plastic carry bags or multilayered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labelled or marked in accordance with these rules shall be liable to pay such fines as specified under the bye-laws of the local bodies.

**15. Explicit pricing of carry bags.-** (1) The shopkeepers and street vendors willing to provide plastic carry bags for dispensing any commodity shall register with local body. The local body shall, within a period of six months from the date of final publication of these rules in the Official Gazette of India notification of these rules, by notification or an order under their appropriate state statute or byelaws shall make provisions for such registration on payment of plastic waste management fee of minimum rupees forty eight thousand @ rupees four thousand per month. The concerned local body may prescribe higher plastic waste management fee, depending upon the sale capacity. The registered shop keepers shall display at prominent place that plastic carry bags are given on payment.

(2) Only the registered shopkeepers or street vendors shall be eligible to provide plastic carry bags for dispensing the commodities.

(3) The local body shall utilize the amount paid by the customers for the carry bags exclusively for the sustainability of the waste management system within their jurisdictions.

**16. State Level Monitoring Committee.-** (1) The State government or the union Territory shall, for the purpose of effective monitoring of implementation of these rules, constitute a State Level Advisory Committee consisting of the following persons, namely;-

- |     |                                                                                       |            |
|-----|---------------------------------------------------------------------------------------|------------|
| (a) | the Secretary, Department of Urban Development                                        | - Chairman |
| (b) | Director from State Department of Environment                                         | - Member   |
| (c) | Member Secretary from State Pollution Control Board<br>or Pollution Control Committee | - Member   |
| (d) | Municipal Commissioner                                                                | - Member   |
| (e) | one expert from Local Body                                                            | - Member   |
| (f) | one expert from Non-Governmental<br>involved in Waste Management                      | - Member   |

- |     |                                                                                                                 |              |
|-----|-----------------------------------------------------------------------------------------------------------------|--------------|
| (g) | Commissioner, Value Added Tax or his nominee,                                                                   | - Member     |
| (h) | Sales Tax Commissioner or Officer                                                                               | - Member     |
| (i) | representative of Plastic Association,<br>Drug Manufacturers Association,<br>Chemical Manufacturers Association | - Member     |
| (j) | one expert from the field of Industry                                                                           | - Member and |
| (k) | one expert from the field of academic institution                                                               | - Member     |
| (l) | Director , Municipal Administration                                                                             | - Convener   |

The State Level Advisory Body shall meet at least once in Six Month and may invite experts, if it considers necessary.

**17. Annual reports.-** (1) Every person engaged in recycling or processing of plastic waste shall prepare and submit an annual report in Form-IV to the local body concerned under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30<sup>th</sup> April, of every year.

(2) Every local body shall prepare and submit an annual report in Form –V to the concerned Secretary-in-charge of the Urban Development Department under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30<sup>th</sup> June, every year.

(3) Each State Pollution Control Board or Pollution Control Committee shall prepare and submit an annual report in Form VI to the CPCB on the implementation of these rules by the 31<sup>st</sup> July, of every year.

(4) The CPCB shall prepare a consolidated annual report on the use and management of plastic waste and forward it to the Central Government along with its recommendations before the 31<sup>st</sup> August of every year.

### SCHEDULE-I

*[See rule 10]*

1.	IS / ISO 14851: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by measuring the oxygen demand in a closed Respirometer
2.	IS / ISO 14852: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by analysis of evolved carbon dioxide
3.	IS / ISO 14853: 2005 Plastics- Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system-Method by measurement of biogas production
4.	IS /ISO 14855-1: 2005 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-1 General method)
5.	IS / ISO 14855-2: 2007 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-2: Gravimetric measurement of carbon dioxide evolved in a laboratory- scale test )
6.	IS / ISO 15985: 2004 Plastics- Determination of the ultimate anaerobic biodegradation and disintegration under high-solids anaerobic digestion conditions- Methods by analysis of released biogas
7.	IS /ISO 16929: 2002 Plastics- Determination of degree of disintegration of plastic materials under defined composting conditions in a pilot - scale test
8.	IS / ISO 17556: 2003 Plastics- Determination of ultimate aerobic biodegradability in soil by measuring the oxygen demand in a Respirometer or the amount of carbon dioxide evolved
9.	IS / ISO 20200:2004 Plastics- Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory - scale test

### FORM - I

*[See rules 13 (2)]*

#### APPLICATION FOR REGISTRATION FOR PRODUCERS or Brand Owners

From: .....

.....

.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....

.....

Sir,

I/We hereby apply for registration under rule 9 of the Plastic Waste Management Rules, 2015

1. Producers

<b>PART - A</b> GENERAL		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	Registration required for manufacturing of: (i) Carry bags; (a) petro- based, (b) Compostable (ii) Multilayered plastics	
(d)	Manufacturing capacity	
(e)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
4. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
5.	Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and water.	
6.	Status of compliance with these rules- Thickness – fifty micron (Yes/No)	
<b>PART - B</b> PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
7.	(a) Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
	(b) Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	
<b>PART - C</b> PERTAINING TO WASTE		
8.	Solid Wastes or rejects: (a) Total quantum of waste generated (b) Mode of storage within the plant (c) Provision made for disposal of wastes	
9.	Attach or Provide list of person supplying plastic to be used as raw material to manufacture carry bags or plastic sheet of like or multilayered packaging	

10.	Attach or provide list of personnel or Brand Owners to whom the products will be supplied	
11.	Action plan on collecting back the plastic wastes	
		Name and Signature
		Designation
Date :		
Place :		

## II Brand Owners:

<b>PART - A</b> GENERAL		
1.	Name, Address and Contact number	
2	In case of renewal, previous registration number and date of registration	
3	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
4.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
5. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
<b>PART - B</b> PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
5	Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
6	Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	
<b>PART - C</b> PERTAINING TO WASTE		
7.	Solid Wastes or rejects: (c) Total quantum of waste generated (d) Mode of storage within the plant (d) Provision made for disposal of wastes	
8.	Attach or Provide list of person supplying plastic material	
9	Action plan on collecting back the plastic wastes	
		Name and Signature
		Designation
Date :		
Place :		

**FORM - II***[see rule 13 (3)]***APPLICATION FORM FOR REGISTRATION OF UNITS ENGAGED IN PROCESSING OR RECYCLING OF PLASTIC WASTE**

1.	Name and Address of the unit	
2.	Contact person with designation, Tel./Fax /email	

3.	Date of commencement				
4.	No. of workers (including contract labour)				
5.	Consents Validity	a. Water (Prevention & Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention & Control of Pollution) Act, 1981; Valid up to _____ c. Authorization ; valid up to ....			
6.	Manufacturing Process	Please attach a flow diagram of the manufacturing process flow diagram for each product.			
7.	Products and installed capacity of production (MTA)	Products Installed capacity			
8.	Waste Management:	S. No. Type Category Qty.			
	a. Waste generation in processing plastic-waste	(i)			
		(ii)			
		(iii)			
	b. Waste Collection and transportation (attach details)				
	c. Waste Disposal details	S. No. Type Category Qty			
		(i)			
		(ii)			
	d. Provide details of the disposal facility, whether the facility is authorized by SPCB or PCC				
	e. Please attach analysis report of characterization of waste generated (including leachate test if applicable)				
9.	Details of plastic waste proposed to be acquired through sale, auction, contract or import, as the case may be, for use as raw material	(i) Name (ii) Quantity required /year			
10.	Occupational safety and health aspects	Please provide details of facilities			
11.	Pollution Control Measures				
	Whether the unit has adequate pollution control systems or equipment to meet the standards of emission or effluent.	If Yes, please furnish details			
	Whether unit is in compliance with conditions laid down in the said rules.	Yes/No			
	Whether conditions exist or are likely to exist of the material being handled or processed posing adverse immediate or delayed impacts on the environment.	Yes/No			
	Whether conditions exist (or are likely to exist) of the material being handled or processed by any means capable of yielding another material (e.g. leachate) which may possess eco-toxicity.	Yes/No			
12.	Any other relevant information including fire or accident mitigative measures				
13.	List of enclosures as per rule				

Name and Signature

Designation

Date :

Place :

**FORM - III**

[See rules 13(4)]

**APPLICATION FOR REGISTRATION FOR MANUFACTURERS OF PLASTIC RAW MATERIALS**

From: .....

.....

.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....

.....

Sir,

I/We hereby apply for registration under the Plastic Waste Management Rules, 2011

<b>PART – A GENERAL</b>		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the DIC or DCSSI of the State Government or Union Territory? If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
(c)	List of producers and quantum of raw materials supplied to producers	
		Name and Signature Designation
Date :		
Place :		

**Form - IV**

*[See rules 17 (1)]*

**FORMAT OF ANNUAL REPORT BY OPERATOR OF PLASTIC WASTE PROCESSING OR RECYCLING FACILITY TO THE LOCAL BODY**

**Period of Reporting:**

(1)	Name and Address of operator of the facility	
(2)	Name of officer in-charge of the facility (Telephone/Fax/Mobile/ E-mail)	
(3)	Capacity:	
(4)	Technologies used for management of plastic waste:	
(5)	Quantity of plastic waste received during the year being reported upon along with the source	
(6)	Quantity of plastic waste processed (in tons): - Plastic waste recycled(in tons) - Plastic waste processed (in tons) - Used (in tons)	
(7)	Quantity of inert or rejects sent for final disposal to landfill sites:	
(8)	Details of land fill facility to which inert or rejects were sent	

	for final disposal: - Address -Telephone	
(9)	Attach status of compliance to environmental conditions, if any specified during grant of Consent or registration	

Signature of Operator

Dated :

Place:

**Form - V***[See rules 17(2)]***FORMAT FOR ANNUAL REPORT ON PLASTIC WASTE MANAGEMENT TO BE SUBMITTED BY THE LOCAL BODY****Period of Reporting:**

(1)	Name of the City or Town and State:	
(2)	Population	
(3)	Area in sq. kilometers	
(4)	Name & Address of Local body Telephone No. Fax No. E-mail:	
(5)	Total Numbers of the wards in the area under jurisdiction	
(6)	Total Numbers of Households in the area under jurisdiction	
(7)	Number of households covered by door to door collection	
(8)	Total number of commercial establishments and Institutions in the area under jurisdiction -Commercial establishments - Institutions	
(9)	Number of commercial establishments and Institutions covered by door to door collection -Commercial establishments - Institutions	
(10)	Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection	
(11)	Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction	
(12)	Attach details of infrastructure required, if any along with justification	
(13)	Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons)	
(14)	Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons)	
(15)	Quantity of plastic waste channelized for recycling during the year (in tons)	
(16)	Quantity of plastic waste channelized for use during the year (in tons)	
(17)	Quantity of inert or rejects sent to landfill sites during the year (in tons)	
(18)	Details of each of facilities used for processing and disposal of plastic waste <b>Facility-I</b> i) Name of operator ii) Address with Telephone Number or Mobile iii) Capacity iv) Technology Used v) Registration Number vi) Validity of Registration (up to)	

Name of the SPCB or PCC	Estimated Plastic Waste generation Tons Per Annum (TPA)	No. of registered Plastic Manufacturing or Recycling (including multilayer, compostable) units. (Rule 9)			No. of Unregistered plastic manufacturing Recycling units. (in residential or unapproved areas)	Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Co-processing road construction etc.) (Rules 6) (Attach separate	Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of notification or executive order)	Status of Marking Labelling on carry bags (Rule 8) [Specify the number of units or not complied]	Explicit Pricing of carry bags (Rule 10)	Details of the meeting of State Level Advisory Body (SLA) along with its recommendations on Implementation (Rule 11)	No. of violations and action taken on non-compliance of provisions of these Rules	Number of Municipal Authority or Gram Panchayat under jurisdiction and Submission of Annual Report to CPCB (Rule 12)
		Plastic units	Compostable Plastic Units	Multilayer Plastic units								

	<p><b>Facility-II</b></p> <p>i) Name of operator</p> <p>ii) Address with Telephone Number or Mobile</p> <p>iii) Capacity</p> <p>iv) Technology Used</p> <p>v) Registration Number</p> <p>Validity of Registration (up to)</p>	
(19)	<p>Give details of:</p> <p>Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.</p>	
(20)	<p>Give details of:</p> <p>Contractor or concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.</p>	
(21)	<p>Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules including the financial constrains, if any</p>	
(22)	<p>Whether an Action Plan has been prepared for improving solid waste management practices in the city? If yes (attach copy)</p> <p>Date of revision:</p>	

Signature of CEO or Municipal Commissioner or

Executive Officer or Chief Officer

Date:

Place:

**Form-VI**

**STATE-WISE STATUS OF IMPLEMENTATION OF PLASTIC WASTE MANAGEMENT RULES, 2016 FOR THE YEAR ... ANNUAL REPORT Format**

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

[F. No. 17-2/2001-HSMD]

BISHWANATH SINHA, Jt. Secy.

## **4.1.4. CONSTRUCTION & DEMOLITION WASTE MANAGEMENT RULES, 2016**

**[Published In the Gazette of India, Part-II, Section-3, Sub-section (ii)]**  
**Ministry of Environment, Forest and Climate Change**

**NOTIFICATION**

**New Delhi, the 29<sup>th</sup> March, 2016**

**G.S.R. 317(E).**-Whereas the Municipal Solid Wastes (Management and Handling) Rules, 2000 published vide notification number S.O. 908(E), dated the 25<sup>th</sup> September, 2000 by the Government of India in the erstwhile Ministry of Environment and Forests, provided a regulatory frame work for management of Municipal Solid Waste generated in the urban area of the country;

And whereas, to make these rules more effective and to improve the collection, segregation, recycling, treatment and disposal of solid waste in an environmentally sound manner, the Central Government reviewed the existing rules and it was considered necessary to revise the existing rules with a emphasis on the roles and accountability of waste generators and various stakeholders, give thrust to segregation, recovery, reuse, recycle at source, address in detail the management of construction and demolition waste.

And whereas, the draft rules, namely, the Solid Waste Management Rules, 2015 with a separate chapter on construction and demolition waste were published by the Central Government in the Ministry of Environment, Forest and Climate Change vide G.S.R. 451 (E), dated the 3<sup>rd</sup> June, 2015 inviting objections or suggestions from the public within sixty days from the date of publication of the said notification;

And Whereas, the objections or suggestions received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 6, 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Wastes (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby notifies the following rules for Management of Construction and Demolition Waste –

**1. Short title and commencement.**-(1) These rules shall be called the Construction and Demolition Waste Management Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Application.**-The rules shall apply to every waste resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organisation or authority who generates construction and demolition waste such as building materials, debris, rubble.

**3. Definitions** –(1) In these rules, unless the context otherwise requires,-

(a) “ ACT’ means the Environment ( Protection) Act, 1986 (29 of 1986);

(b) "**construction**" means the process of erecting of building or built facility or other structure, or

building of infrastructure including alteration in these entities,;

- (c) **"construction and demolition waste"** means the waste comprising of building materials, debris and rubble resulting from construction, re-modeling, repair and demolition of any civil structure;
- (d) **"de-construction"** means a planned selective demolition in which salvage, re-use and recycling of the demolished structure is maximized;
- (e) **"demolition"** means breaking down or tearing down buildings and other structures either manually or using mechanical force (by various equipment) or by implosion using explosives.
- (f) **"form"** means a Form annexed to these rules;
- (g) **"local authority"** means an urban local authority with different nomenclature such as municipal corporation, municipality, nagarpalika, nagarnigam, nagarpanchayat, municipal council including notified area committee and not limited to or any other local authority constituted under the relevant statutes such as gram panchayat, where the management of construction and demolition waste is entrusted to such agency;
- (h) **"schedule"** means a schedule annexed to these rules;
- (i) **"service provider"** means authorities who provide services like water, sewerage, electricity, telephone, roads, drainage etc. often generate construction and demolition waste during their activities, which includes excavation, demolition and civil work;
- (j) **"waste generator"** means any person or association of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defence establishments who undertakes construction of or demolition of any civil structure which generate construction and demolition waste.

(2) Words and expressions used but not defined herein shall have the same meaning defined in the ACT.

**(4) Duties of the waste generator -**

(1) Every waste generator shall prima-facie be responsible for collection, segregation of concrete, soil and others and storage of construction and demolition waste generated, as directed or notified by the concerned local authority in consonance with these rules.

(2) The generator shall ensure that other waste (such as solid waste) does not get mixed with this waste and is stored and disposed separately.

(3) Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall segregate the waste into four streams such as concrete, soil, steel, wood and plastics, bricks and mortar and shall submit waste management plan and get appropriate approvals from the local authority before starting construction or demolition or remodeling work and keep the concerned

authorities informed regarding the relevant activities from the planning stage to the implementation stage and this should be on project to project basis.

(4) Every waste generator shall keep the construction and demolition waste within the premise or get the waste deposited at collection centre so made by the local body or handover it to the authorised processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains.

(5) Every waste generator shall pay relevant charges for collection, transportation, processing and disposal as notified by the concerned authorities; Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall have to pay for the processing and disposal of construction and demolition waste generated by them, apart from the payment for storage, collection and transportation. The rate shall be fixed by the concerned local authority or any other authority designated by the State Government.

**(5) Duties of service provider and their contractors -**

(1) The service providers shall prepare within six months from the date of notification of these rules, a comprehensive waste management plan covering segregation, storage, collection, reuse, recycling, transportation and disposal of construction and demolition waste generated within their jurisdiction.

(2) The service providers shall remove all construction and demolition waste and clean the area every day, if possible, or depending upon the duration of the work, the quantity and type of waste generated, appropriate storage and collection, a reasonable timeframe shall be worked out in consultation with the concerned local authority.

(3) In case of the service providers have no logistics support to carry out the work specified in sub-rules (1) and (2) , they shall tie up with the authorised agencies for removal of construction and demolition waste and pay the relevant charges as notified by the local authority.

**(6) Duties of local authority-The local authority shall,-**

(1) issue detailed directions with regard to proper management of construction and demolition waste within its jurisdiction in accordance with the provisions of these rules and the local authority shall seek detailed plan or undertaking as applicable, from generator of construction and demolition waste;

(2) chalk out stages, methodology and equipment, material involved in the overall activity and final clean up after completion of the construction and demolition ;

(3c) seek assistance from concerned authorities for safe disposal of construction and demolition waste contaminated with industrial hazardous or toxic material or nuclear waste if any;

(4) shall make arrangements and place appropriate containers for collection of waste and shall remove at regular intervals or when they are filled, either through own resources or by appointing private operators;

- (5) shall get the collected waste transported to appropriate sites for processing and disposal either through own resources or by appointing private operators;
- (6) shall give appropriate incentives to generator for salvaging, processing and or recycling preferably in-situ;
- (7) shall examine and sanction the waste management plan of the generators within a period of one month or from the date of approval of building plan, whichever is earlier from the date of its submission;
- (8) shall keep track of the generation of construction and demolition waste within its jurisdiction and establish a data base and update once in a year;
- (9) shall device appropriate measures in consultation with expert institutions for management of construction and demolition waste generated including processing facility and for using the recycled products in the best possible manner;
- (10) shall create a sustained system of information, education and communication for construction and demolition waste through collaboration with expert institutions and civil societies and also disseminate through their own website;
- (11) shall make provision for giving incentives for use of material made out of construction and demolition waste in the construction activity including in non-structural concrete, paving blocks, lower layers of road pavements, colony and rural roads.

**(7) Criteria for storage, processing or recycling facilities for construction and demolition waste and application of construction and demolition waste and its products-**

- (1) The site for storage and processing or recycling facilities for construction and demolition waste shall be selected as per the criteria given in **Schedule I**;
- (2) The operator of the facility as specified in sub- rules (1) shall apply in **Form I** for authorization from State Pollution Control Board or Pollution Control Committee.
- (3) The operator of the facility shall submit the annual report to the State Pollution Control Board in **Form II**.
- (3) Application of materials made from construction and demolition waste in operation of sanitary landfill shall be as per the criteria given in **Schedule II**.

**(8) Duties of State Pollution Control Board or Pollution Control Committee-**

- (1) State Pollution Control Board or Pollution Control Committee shall monitor the implementation of these rules by the concerned local bodies and the competent authorities and the annual report shall be sent to the Central Pollution Control Board and the State Government or Union Territory or any other State level nodal agency identified by the State Government or Union Territory administration for generating State level comprehensive data. Such reports shall also contain the comments and suggestions of the State Pollution Control Board or Pollution Control Committee with respect to any comments or changes required;

(2) State Pollution Control Board or Pollution Control Committee shall grant authorization to construction and demolition waste processing facility in **Form-III** as specified under these rules after examining the application received in **Form I**;

(3) State Pollution Control Board or Pollution Control Committee shall prepare annual report in **Form IV** with special emphasis on the implementation status of compliance of these rules and forward report to Central Pollution Control Board before the 31<sup>st</sup> July for each financial year.

**(9) Duties of State Government or Union Territory Administration-**

(1) The Secretary in-charge of development in the State Government or Union territory administration shall prepare their policy document with respect to management of construction and demolition of waste in accordance with the provisions of these rules within one year from date of final notification of these rules.

(2) The concerned department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition waste.

(3) The Town and Country planning Department shall incorporate the site in the approved land use plan so that there is no disturbance to the processing facility on a long term basis.

(4) Procurement of materials made from construction and demolition waste shall be made mandatory to a certain percentage (say 10-20%) in municipal and Government contracts subject to strict quality control.

**(10) Duties of the Central Pollution Control Board -** (1) The Central Pollution Control Board shall,-

(a) prepare operational guidelines related to environmental management of construction and demolition waste management;

(b) analyze and collate the data received from the State Pollution Control Boards or Pollution Control Committee to review these rules from time to time;

(c) coordinate with all the State Pollution Control Board and Pollution Control Committees for any matter related to development of environmental standards;

(d) forward annual compliance report to Central Government before the 30<sup>th</sup> August for each financial year based on reports given by State Pollution Control Boards of Pollution Control Committees.

**(11) Duties of Bureau of Indian Standards and Indian Roads Congress -**The Bureau of Indian Standards and Indian Roads Congress shall be responsible for preparation of code of practices and standards for use of recycled materials and products of construction and demolition waste in respect of construction activities and the role of Indian Road Congress shall be specific to the standards and practices pertaining to construction of roads.

## **(12) Duties of the Central Government -**

- (1) The Ministry of Urban Development, and the Ministry of Rural Development, Ministry of Panchayat Raj, shall be responsible for facilitating local bodies in compliance of these rules;
- (2) The Ministry of Environment, Forest and Climate Change shall be responsible for reviewing implementation of these rules as and when required.

**13. Timeframe for implementation of the provisions of these rules** -The timeline for implementation of these rules shall be as specified in **Schedule III:**

**14. Accident reporting by the construction and demolition waste processing facilities**-In case of any accident during construction and demolition waste processing or treatment or disposal facility, the officer in charge of the facility in the local authority or the operator of the facility shall report of the accident in **Form-V** to the local authority. Local body shall review and issue instruction if any, to the in-charge of the facility.

### **Schedule I**

#### **Criteria for Site Selection for Storage and Processing or Recycling Facilities for construction and demolition Waste**

**[See Rule 7(1)]**

- (1) The concerned department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition and hand over the sites to the concerned local authority for development, operation and maintenance, which shall ultimately be given to the operators by Competent Authority and wherever above Authority is not available, shall lie with the concerned local authority.
- (2) The Local authority shall co-ordinate (in consultation with Department of Urban Development of the State or the Union territory) with the concerned organizations for giving necessary approvals and clearances to the operators.
- (3) Construction and demolition waste shall be utilized in sanitary landfill for municipal solid waste of the city or region as mentioned at Schedule I of these rule. Residues from construction and demolition waste processing or recycling industries shall be land filled in the sanitary landfill for solid waste.
- (4) The processing or recycling shall be large enough to last for 20-25 years (project based on-site recycling facilities).
- (5) The processing or recycling site shall be away from habitation clusters, forest areas, water bodies, monuments, National Parks, Wetlands and places of important cultural, historical or religious interest.
- (6) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the

total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local authority in consultation with concerned State Pollution Control Board.

- (7) Processing or recycling site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles or other modes of transportation.
- (8) The approach and or internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (9) Provisions of weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (10) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided and Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- (11) In order to prevent pollution from processing or recycling operations, the following provisions shall be made, namely:
  - (a) Provision of storm water drains to prevent stagnation of surface water;
  - (b) Provision of paved or concreted surface in selected areas in the processing or recycling facility for minimizing dust and damage to the site.
  - (c) Prevention of noise pollution from processing and recycling plant;
  - (d) provision for treatment of effluent if any, to meet the discharge norms as per Environment (Protection) Rules, 1986.
- (12) Work Zone air quality at the Processing or Recycling site and ambient air quality at the vicinity shall be monitored.
- (13) The measurement of ambient noise shall be done at the interface of the facility with the surrounding area, i.e., at plant boundary.
- (14) The following projects shall be exempted from the norms of pollution from dust and noise as mentioned above:

For construction work, where at least 80 percent construction and demolition waste is recycled or reused in-situ and sufficient buffer area is available to protect the surrounding habitation from any adverse impact.
- (15) A vegetative boundary shall be made around Processing or Recycling plant or site to strengthen the buffer zone.

## Schedule II

### Application of materials made from construction and demolition waste and its products.

[See Rule 7(3)]

Sl. No.	Parameters	Compliance Criteria
1	Drainage layer in leachate collection system at bottom of Sanitary Landfill Gas Collection Layer above the waste at top of Sanitary Landfill and Drainage Layer in top Cover System above Gas Collection Layer of Sanitary Landfill For capping of sanitary landfill or dumpsite, drainage layer at the top	Only crushed and graded hard material (stone, concrete etc.) shall be used having coarse sand size graded material (2mm – 4.75mm standard sieve size). Since the coarse sand particles will be angular in shape (and not rounded as for riverbed sand), protection layers of non-woven geo-textiles may be provided, wherever required, to prevent puncturing of adjacent layers or components.
2	Daily cover	Fines from construction and demolition processed waste having size up to 2 mm shall be used for daily cover over the fresh waste.  Use of construction and demolition fines as landfill cover shall be mandatory where such material is available. Fresh soil (sweet earth) shall not be used for such places and borrow-pits shall not be allowed. Exception – soil excavated during construction of the same landfill. During hot windy days in summer months, some fugitive dust problems may arise. These can be minimised by mixing with local soil wherever available for limited period.
3	Civil construction in a sanitary landfill	Non-structural applications, such as kerb stones, drain covers, paving blocks in pedestrian areas.

**Schedule III**  
**Timeframe for Planning and Implementation**  
[See Rule 13]

Sl. No.	Compliance Criteria	Cities with population of 01 million and above	Cities with population of 0.5-01 million	Cities with population of less than 0.5 million
1	Formulation of policy by State Government	12 months	12 months	12 months
2	Identification of sites for collection and processing facility	18 months	18 months	18 months
3	Commissioning and implementation of the facility	18 months	24 months	36 months
4	Monitoring by SPCBs	3 times a year – once in 4 months	2 times a year – once in 6 months	2 times a year – once in 6 months

*\*The time Schedule is effective from the date of notification of these rules.*

**FORM – I**  
**See [Rule 7 (2)]**  
**Application for obtaining authorisation**

To,  
The Member Secretary

\_\_\_\_\_ Name of the local authority or Name of the agency :  
appointed by the municipal authority

Correspondence address Telephone No. Fax No.	
Nodal Officer and designation (Officer authorized by the competent authority or agency responsible for operation of processing or recycling or disposal facility)	
Authorisation applied for (Please tick mark)	Setting up of processing or recycling facility of construction and demolition waste
Detailed proposal of construction and demolition waste processing or recycling facility to include the following  Location of site approved and allotted by the Competent Authority.  Average quantity (in tons per day) and composition of construction and demolition waste to be handled	

<p>at the specific site.</p> <p>Details of construction and demolition waste processing or recycling technology to be used.</p> <p>Quantity of construction and demolition waste to be processed per day.</p> <p>Site clearance from Prescribed Authority.</p> <p>Salient points of agreement between competent authority or local authority and operating agency (attach relevant document).</p> <p>Plan for utilization of recycled product.</p> <p>Expected amount of process rejects and plan for its disposal (e.g., sanitary landfill for solid waste).</p> <p>Measures to be taken for prevention and control of environmental pollution.</p> <p>Investment on project and expected returns.</p> <p>Measures to be taken for safety of workers working in the processing or recycling plant.</p> <p>Any preventive plan for accident during the collection, transportation and treatment including processing and recycling should be informed to the Competent Authority (Local Authority) or Prescribed Authority</p>	
<p><b>Date:</b></p>	<p><b>Signature of Nodal Officer</b></p>

**Form-II**

See [Rule (7) (3)]

**Format for Issue of Authorisation to the Operator**

File No.: \_\_\_\_\_

Date : \_\_\_\_\_

To,

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Ref : Your application number** \_\_\_\_\_ **Dt. ....**

The \_\_\_\_\_ State Pollution Control Board or Pollution Control Committee after examining the proposal hereby authorizes \_\_\_\_\_ having their administrative office at \_\_\_\_\_ to set up and operate construction and demolition waste processing facility at \_\_\_\_\_ on the terms and conditions (including the standards to comply) attached to this authorisation letter.

1. The validity of this authorisation is till \_\_\_\_\_. After expiry of the validity period, renewal of authorisation is to be sought.

2. The \_\_\_\_\_ State Pollution Control Board or Pollution Control Committee may, at any time, for justifiable reason, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

3. Any violation of the provision of the construction and demolition Waste Management Rules, 2016 shall attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

**Date:**  
**Place:**

**(Member Secretary)**  
**State Pollution Control Board/  
Pollution Control Committee**

**Form –III**

**See [Rule 8(2) ]**

**Format of Annual Report to be submitted by Local Authority to the State Pollution Control Board**

- (i) Name of the City or Town.....
- (ii) Population.....
- (iii) Name and address of local authority or competent authority

Telephone No : .....  
Fax : .....  
Email ID: .....  
Website: .....

- (iv) Name of In-charge or Nodal Officer dealing with construction and demolition wastes management with designation .....

**1. Quantity and composition of construction and demolition waste including any deconstruction waste**

- (a) Total quantity of construction and demolition waste generated during the whole year in metric ton

Any figures for lean period and peak period generation per day .....  
Average generation of construction and demolition waste (TPD)  
Total quantity of construction and demolition waste collected per day  
Any Processing / Recycling Facility set up in the city .....  
Status of the facility

- (b) Total quantity of construction and demolition waste processed / recycled (in metric ton)

Non-structural concrete aggregate :  
Manufactured sand :  
Ready-mix concrete (RMC) :  
Paving blocks :  
GSB :

Others, if any, please specify :

(c) Total quantity of Construction & Demolition waste disposed by land filling without processing (last option) or filling low lying areas

---

No of landfill sites used :  
Area used :  
Whether weigh-bridge : Yes No  
facility used for quantity estimation?

(d) Whether construction and demolition waste used in sanitary landfill (for solid waste) as per Schedule III : Yes No

## 2. Storage facilities

(a) Area or location or plot or societies covered for collection of Construction and Demolition waste

(b) No. of large Projects (including roadways project) covered

(c) Whether Area or location or plot or societies collection is Practiced (if yes, whether done by Competent Authority or Local Authority or through Private Agency or Non-Governmental Organization) :

(d) Storage Bins : -----  
Specifications Existing Proposed  
(Shape & Size) Number for future  
-----

(i) Containers or receptacle (Capacity) :  
(ii) Others, please specify :

(e) Whether all storage bins/collection spots are attended for daily lifting : Yes No

(e) Whether lifting of Construction & Demolition Waste from Storage bins is manual or mechanical (please tick mark) please specify mode : Manual Mechanical Others, and equipment used (specify equipment)

## 3. Transportation

-----  
Existing Actually Required/Proposed number  
-----  
Truck :  
Truck-Hydraulic :  
Tractor-Trailer :  
Dumper-placers :  
Tricycle :

Refuse-collector :  
Others (Please specify) :

**4. Whether any proposal has been made to improve Construction and Demolition waste management practices**

**5. Have any efforts been made to involve PPP for processing of Construction & Demolition waste :  
If yes, what is (are) the technologies being used, such as:**

Processing / recycling Technology	(Quantity to be processed)	Steps taken
Dry Process	:	
Wet Process	:	
Others, if any, Please specify	:	

**6. What provisions are available to check unauthorized operations of:**

Encroachment on river bank or wet bodies :  
Unauthorized filling of low line areas :  
Mixing with solid waste :  
Encroachment in Parks, Footpaths etc. :

**7. How many slums are provided with construction and demolition waste receptacles facilities:**

**8. Are municipal magistrates appointed**

**for taking penal action for non-compliance with these rules:** Yes No

[ If yes, how many cases registered & settled during last three years (give year wise details)]

**Dated:**  
**Commissioner**

**Signature of Municipal**

**Form -IV**

**See [Rule (8)(3)]**

**Format of Annual Report to be submitted by the State Pollution Control Board / Committees to the  
Central Pollution Control Board**

To,

The Chairman,  
Central Pollution Control Board,  
PariveshBhawan, East Arjun Nagar,  
Delhi-110032

1. Name of the State/Union territory :
2. Name & address of the State  
Pollution Control Board/Pollution  
Control Committee :
3. Number of municipal authorities  
responsible for management of municipal  
solid wastes in the State/Union territory  
under these rules :
4. A Summary Statement on progress made  
by municipal authorities in respect of  
implementation of **Schedule III]** : Please attach as Annexure-I
5. A Summary Statement on progress made by  
municipal authorities in respect of  
implementation of **Schedule IV** : Please attach as Annexure-II

**Date:**

**Chairman or the Member Secretary**

**Place:**

**State Pollution Control Board/  
Pollution Control Committee**

**Form –V**  
**See [ Rule14]**  
**Accident reporting**

1. Date and time of accident :
2. Sequence of events leading to accident :
3. The type of construction and demolition waste involved in accident :
4. Assessment of the effects of the accidents  
a. on traffic, drainage system and the environment :
5. Emergency measures taken :
6. Steps taken to alleviate the effects  
a. of accidents :
7. Steps taken to prevent the recurrence  
a. of such an accident :
8. Regular monthly health checkup of workers at

- a. Processing / recycling site shall be made
9. Any accident during the collection,
- a. transportation and treatment including
  - b. processing and recycling should be informed
  - c. to the Competent Authority (Local Authority) or
  - d. Prescribed Authority

Date :  
Place:

Authorized Signatory  
Designation

[18-6/2014-HSMD]  
Bishwanath Sinha, Joint Secretary

## **4.1.5. E-WASTE (MANAGEMENT) RULES, 2016**

[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY PART-II, SECTION-3, SUB-SECTION (i)]

GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 23<sup>rd</sup> March , 2016

**G.S.R 338(E).** - Whereas the draft rules, namely the e-waste (Management) Rules, 2015, were published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number G.S.R. 472(E), dated the 10<sup>th</sup> June, 2015 in the Gazette of India, Extraordinary Part II, section 3, sub-section (ii) inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS the copies of the Gazette containing the said notification were made available to the public on the 10<sup>th</sup> day of June, 2015;

AND WHEREAS the objections and suggestions received within the specified period from the public in respect of the said draft rules have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the e-waste (Management and Handling) Rules, 2011, published in the Gazette of India, section 3, sub-section (ii), *vide* number S.O. 1035(E), dated the 12<sup>th</sup> May, 2011, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

**1. Short title and commencement.** - (1) These rules may be called the E-Waste (Management) Rules, 2016.

(2) They shall come into force from the 1<sup>st</sup> day of October, 2016.

**2. Application.** - These rules shall apply to every manufacturer, producer, consumer, bulk consumer, collection centres, dealers, e-retailer, refurbisher, dismantler and recycler involved in manufacture, sale, transfer, purchase, collection, storage and processing of e-waste or electrical and electronic equipment listed in Schedule I, including their components, consumables, parts and spares which make the product operational but shall not apply to -

(a) used lead acid batteries as covered under the Batteries (Management and Handling) Rules, 2001 made under the Act;

(b) micro enterprises as defined in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006); and

- (c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under.

**3. Definitions.** - (1) In these rules, unless the context otherwise requires, -

- (a) 'Act' means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) 'authorisation' means permission for generation, handling, collection, reception, storage, transportation, refurbishing, dismantling, recycling, treatment and disposal of e-waste, granted to manufacturer, dismantler, refurbisher and recycler;
- (c) 'bulk consumer' means bulk users of electrical and electronic equipment such as Central Government or State Government Departments, public sector undertakings, banks, educational institutions, multinational organisations, international agencies, partnership and public or private companies that are registered under the Factories Act, 1948 (63 of 1948) and the Companies Act, 2013 (18 of 2013) and health care facilities which have turnover of more than one crore or have more than twenty employees;
- (d) 'Central Pollution Control Board' means the Central Pollution Control Board constituted under sub-section (1) of section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (e) 'collection centre' means a centre or a collection point or both established by producer individually or as association jointly to collect e-waste for channelising the e-waste to recycler and play such role as indicated in the authorisation for Extended Producer Responsibility granted to the producer and having facilities as per the guidelines of Central Pollution Control Board, including the collection centre established by the dismantler or refurbisher or recycler which should be a part of their authorisation issued by the State Pollution Control Board where the facility exists;
- (f) 'component' means one of the parts of a sub-assembly or assembly of which a manufactured product is made up and into which it may be resolved and includes an accessory or attachment to another component;
- (g) 'consumables' means an item, which participates in or is required for a manufacturing process or for functioning of the electrical and electronic equipment and may or may not form part of end-product. Items, which are substantially or totally consumed during a manufacturing process, shall be deemed to be consumables;
- (h) 'consumer' means any person using electrical and electronic equipment excluding the bulk consumers;
- (i) 'channelisation' means to direct the path for movement of e-wastes from collection onwards to authorised dismantler or recycler. In case of fluorescent and other mercury containing lamps, where recyclers are not available, this means path for movement from collection centre to Treatment, Storage and Disposal Facility;
- (j) 'dealer' means any individual or firm that buys or receives electrical and electronic equipment as listed in Schedule I of these rules and their components or consumables or parts or spares from producers for sale;
- (k) 'deposit refund scheme' means a scheme whereby the producer charges an additional amount as a deposit at the time of sale of the electrical and electronic equipment and returns it to the consumer along with interest when the end-of-life electrical and electronic equipment is returned;
- (l) 'dismantler' means any person or organisation engaged in dismantling of used electrical and electronic equipment into their components and having facilities

- as per the guidelines of Central Pollution Control Board and having authorisation from concerned State Pollution Control Board;
- (m) 'disposal' means any operation which does not lead to recycling, recovery or reuse and includes physico-chemical or biological treatment, incineration and deposition in secured landfill;
  - (n) 'end-of-life' of the product means the time when the product is intended to be discarded by the user;
  - (o) 'environmentally sound management of e-waste' means taking all steps required to ensure that e-waste is managed in a manner which shall protect health and environment against any adverse effects, which may result from such e-waste;
  - (p) 'electrical and electronic equipment' means equipment which are dependent on electric current or electro-magnetic field in order to become functional;
  - (q) 'e-retailer' means an individual or company or business entity that uses an electronic network such as internet, telephone, to sell its goods;
  - (r) 'e-waste' means electrical and electronic equipment, whole or in part discarded as waste by the consumer or bulk consumer as well as rejects from manufacturing, refurbishment and repair processes;
  - (s) 'e-waste exchange' means an independent market instrument offering assistance or independent electronic systems offering services for sale and purchase of e-waste generated from end-of-life electrical and electronic equipment between agencies or organisations authorised under these rules;
  - (t) 'Extended Producer Responsibility' means responsibility of any producer of electrical or electronic equipment, for channelisation of e-waste to ensure environmentally sound management of such waste. Extended Producer Responsibility may comprise of implementing take back system or setting up of collection centres or both and having agreed arrangements with authorised dismantler or recycler either individually or collectively through a Producer Responsibility Organisation recognised by producer or producers in their Extended Producer Responsibility - Authorisation;
  - (u) 'Extended Producer Responsibility - Authorisation' means a permission given by Central Pollution Control Board to a producer, for managing Extended Producer Responsibility with implementation plans and targets outlined in such authorisation including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;
  - (v) 'Extended Producer Responsibility Plan' means a plan submitted by a producer to Central Pollution Control Board, at the time of applying for Extended Producer Responsibility - Authorisation in which a producer shall provide details of e-waste channelisation system for targeted collection including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;
  - (w) 'facility' means any location wherein the process incidental to the collection, reception, storage, segregation, refurbishing, dismantling, recycling, treatment and disposal of e-waste are carried out;
  - (x) 'Form' means a form appended to these rules;
  - (y) 'historical e-waste' means e-waste generated from electrical and electronic equipment as specified in Schedule I, which was available on the date from which these rules come into force;
  - (z) 'manufacturer' means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as defined in the Factories Act, 1948 (63 of 1948) or Small and Medium Enterprises as defined in Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), which has facilities for manufacture of electrical and electronic equipment;

- (aa) 'orphaned products' means non-branded or assembled electrical and electronic equipment as specified in Schedule I or those produced by a company, which has closed its operations;
  - (bb) 'part' means an element of a sub-assembly or assembly not normally useful by itself, and not amenable to further disassembly for maintenance purposes. A part may be a component, spare or an accessory;
  - (cc) 'producer' means any person who, irrespective of the selling technique used such as dealer, retailer, e-retailer, etc.;
    - (i) manufactures and offers to sell electrical and electronic equipment and their components or consumables or parts or spares under its own brand; or
    - (ii) offers to sell under its own brand, assembled electrical and electronic equipment and their components or consumables or parts or spares produced by other manufacturers or suppliers; or
    - (iii) offers to sell imported electrical and electronic equipment and their components or consumables or parts or spares;  - (dd) 'Producer Responsibility Organisation' means a professional organisation authorised or financed collectively or individually by producers, which can take the responsibility for collection and channelisation of e-waste generated from the 'end-of-life' of their products to ensure environmentally sound management of such e-waste;
  - (ee) 'recycler' - means any person who is engaged in recycling and reprocessing of waste electrical and electronic equipment or assemblies or their components and having facilities as elaborated in the guidelines of Central Pollution Control Board;
  - (ff) 'refurbishment' means repairing of used electrical and electronic equipment as listed in Schedule I for extending its working life for its originally intended use and selling the same in the market or returning to owner;
  - (gg) 'refurbisher' for the purpose of these rules, means any company or undertaking registered under the Factories Act, 1948 or the Companies Act, 1956 or both or district industries centre engaged in refurbishment of used electrical and electronic equipment;
  - (hh) 'Schedule' means the Schedule appended to these rules;
    - (i) "spares" means a part or a sub-assembly or assembly for substitution which is ready to replace an identical or similar part or sub-assembly or assembly including a component or an accessory;  - (jj) 'State Government in relation to an Union territory means, the Administrator thereof appointed under article 239 of the Constitution;
  - (kk) 'State Pollution Control Board' means the concerned State Pollution Control Board or the Pollution Control Committee of the Union Territories constituted under sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
  - (ll) 'target' means the quantity of e-waste to be collected by the producer in fulfilment of Extended Producer Responsibility;
  - (mm) 'transporter' means a person or company or entity engaged in the off-site transportation of e-waste by air, rail, road or water carrying a manifest system issued by the person or company or entity who has handed over the e-waste to the transporter, giving the origin, destination and quantity of the e-waste being transported;
- (2) Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

## CHAPTER II

### RESPONSIBILITIES

- 4. Responsibilities of the manufacturer.** - (1) collect e-waste generated during the manufacture of any electrical and electronic equipment and channelise it for recycling or disposal;
- (2) apply for an authorisation in Form 1 (a) in accordance with the procedure prescribed under sub-rule (2) of rule 13 from the concerned State Pollution Control Board, which shall give the authorisation in accordance with Form 1 (bb);
- (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (4) maintain records of the e-waste generated, handled and disposed in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board;
- (5) file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.

**5. Responsibilities of the producer.** - The producer of electrical and electronic equipment listed in Schedule I shall be responsible for -

- (1) implementing the Extended Producers Responsibility with the following frameworks, namely:-
- (a) collection and channelisation of e-waste generated from the 'end-of-life' of their products or 'end-of-life' products with same electrical and electronic equipment code and historical waste available on the date from which these rules come into force as per Schedule I in line with the targets prescribed in Schedule III in Extended Producer Responsibility - Authorisation;
- (b) the mechanism used for channelisation of e-waste from 'end-of-life' products including those from their service centres to authorised dismantler or recycler shall be in accordance with the Extended Producer Responsibility - Authorisation. In cases of fluorescent and other mercury containing lamps, where recyclers are not available, channelisation may be from collection centre to Treatment, Storage and Disposal Facility;
- (c) for disposal in Treatment, Storage and Disposal Facility, a pre-treatment is necessary to immobilise the mercury and reduce the volume of waste to be disposed off;
- (d) Extended Producer Responsibility - Authorisation should comprise of general scheme for collection of waste Electrical and Electronic Equipment from the Electrical and Electronic Equipment placed on the market earlier, such as through dealer, collection centres, Producer Responsibility Organisation, through buy-back arrangement, exchange scheme, Deposit Refund System, etc. whether directly or through any authorised agency and channelising the items so collected to authorised recyclers;
- (e) providing contact details such as address, e-mail address, toll-free telephone numbers or helpline numbers to consumer(s) or bulk consumer(s) through their website and product user documentation so as to facilitate return of end-of-life electrical and electronic equipment;
- (f) creating awareness through media, publications, advertisements, posters, or by any other means of communication and product user documentation accompanying the equipment, with regard to -

- (i) information on address, e-mail address, toll-free telephone numbers or helpline numbers and web site;
- (ii) information on hazardous constituents as specified in sub-rule 1 of rule 16 in electrical and electronic equipment;
- (iii) information on hazards of improper handling, disposal, accidental breakage, damage or improper recycling of e-waste;
- (iv) instructions for handling and disposal of the equipment after its use, along with the Do's and Don'ts;
- (v) affixing a visible, legible and indelible symbol given below on the products or product user documentation to prevent e-waste from being dropped in garbage bins containing waste destined for disposal;



- (vi) means and mechanism available for their consumers to return e-waste for recycling including the details of Deposit Refund Scheme, if applicable;
- (g) the producer shall opt to implement Extended Producer Responsibility individually or collectively. In individual producer responsibility, producer may set up his own collection centre or implement take back system or both to meet Extended Producer Responsibility. In collective system, producers may tie-up as a member with a Producer Responsibility Organisation or with e-waste exchange or both. It shall be mandatory upon on the individual producer in every case to seek Extended Producer Responsibility - Authorisation from Central Pollution Control Board in accordance with the Form-1 and the procedure laid down in sub-rule (1) of rule 13;
- (2) to provide information on the implementation of Deposit Refund Scheme to ensure collection of end-of-life products and their channelisation to authorised dismantlers or recyclers, if such scheme is included in the Extended Producer Responsibility Plan.  
 Provided that the producer shall refund the deposit amount that has been taken from the consumer or bulk consumer at the time of sale, along with interest at the prevalent rate for the period of the deposit at the time of take back of the end-of-life product;
- (3) the import of electrical and electronic equipment shall be allowed only to producers having Extended Producer Responsibility authorisation;
- (4) maintaining records in Form-2 of the e-waste handled and make such records available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
- (5) filing annual returns in Form-3, to the Central Pollution Control Board on or before the 30<sup>th</sup> day of June following the financial year to which that return relates. In case of the Producer with multiple offices in a State, one annual return combining information from all the offices shall be filed;

- (6) the Producer shall apply to the Central Pollution Control Board for authorisation in Form 1, which shall thereafter grant the Extended Producer Responsibility - Authorisation in Form 1(aa).
- (7) Operation without Extended Producer Responsibility-Authorisation by any producer, as defined in this rule, shall be considered as causing damage to the environment.

**6. Responsibilities of collection centres.** - (1) collect e-waste on behalf of producer or dismantler or recycler or refurbisher including those arising from orphaned products;

Provided the collection centres established by producer can also collect e-waste on behalf of dismantler, refurbisher and recycler including those arising from orphaned products

- (2) ensure that the facilities are in accordance with the standards or guidelines issued by Central Pollution Control Board from time to time;
- (3) ensure that the e-waste collected by them is stored in a secured manner till it is sent to authorised dismantler or recycler as the case may be;
- (4) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (5) maintain records in Form-2 of the e-waste handled as per the guidelines of Central Pollution Control Board and make such records available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board as and when asked for.

**7. Responsibilities of dealers.** – (1) in the case the dealer has been given the responsibility of collection on behalf of the producer, the dealer shall collect the e-waste by providing the consumer a box, bin or a demarcated area to deposit e-waste, or through take back system and send the e-waste so collected to collection centre or dismantler or recycler as designated by producer;

- (2) the dealer or retailer or e-retailer shall refund the amount as per take back system or Deposit Refund Scheme of the producer to the depositor of e-waste;
- (3) every dealer shall ensure that the e-waste thus generated is safely transported to authorised dismantlers or recyclers;
- (4) ensure that no damage is caused to the environment during storage and transportation of e-waste.

**8. Responsibilities of the refurbisher.** – (1) collect e-waste generated during the process of refurbishing and channelise the waste to authorised dismantler or recycler through its collection centre;

- (2) make an application in Form 1(a) in accordance with the procedure laid down in sub-rule (4) of rule 13 to the concerned State Pollution Control Board for grant of one time authorisation;
  - (a) the concerned State Pollution Control Board shall authorise the Refurbisher on one time basis as per Form 1 (bb) and authorisation would be deemed as considered if not objected to within a period of thirty days;
  - (b) the authorised Refurbisher shall be required to submit details of e-waste generated to the concerned State Pollution Control Board on yearly basis;
- (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (4) ensure that the refurbishing process do not have any adverse effect on the health and the environment;

- (5) ensure that the e-waste thus generated is safely transported to authorised collection centres or dismantlers or recyclers;
- (6) file annual returns in Form-3 to the concerned State Pollution Control Board, on or before the 30<sup>th</sup> day of June following the financial year to which that return relates;
- (7) maintain records of the e-waste handled in Form-2 and such records should be available for scrutiny by the appropriate authority.

**9. Responsibilities of consumer or bulk consumer.** – (1) consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelised through collection centre or dealer of authorised producer or dismantler or recycler or through the designated take back service provider of the producer to authorised dismantler or recycler;

- (2) bulk consumers of electrical and electronic equipment listed in Schedule I shall maintain records of e-waste generated by them in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board;
- (3) consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under;
- (4) bulk consumers of electrical and electronic equipment listed in Schedule I shall file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30<sup>th</sup> day of June following the financial year to which that return relates. In case of the bulk consumer with multiple offices in a State, one annual return combining information from all the offices shall be filed to the concerned State Pollution Control Board on or before the 30<sup>th</sup> day of June following the financial year to which that return relates

**10. Responsibilities of the dismantler.** - (1)ensure that the facility and dismantling processes are in accordance with the standards or guidelines prescribed by Central Pollution Control Board from time to time;

- (2) obtain authorisation from the concerned State Pollution Control Board in accordance with the procedure under sub-rule (3) of rule 13;
- (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (4) ensure that the dismantling processes do not have any adverse effect on the health and the environment;
- (5) ensure that dismantled e-waste are segregated and sent to the authorised recycling facilities for recovery of materials;
- (6) ensure that non-recyclable or non-recoverable components are sent to authorised treatment storage and disposal facilities;
- (7) maintain record of e-waste collected, dismantled and sent to authorised recycler in Form-2 and make such record available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
- (8) file a return in Form-3, to the concerned State Pollution Control Board as the case may be, on or before 30<sup>th</sup> day of June following the financial year to which that return relates;
- (9) not process any e-waste for recovery or refining of materials, unless he is authorised with concerned State Pollution Control Board as a recycler for refining and recovery of materials;
- (10) operation without Authorisation by any dismantler, as defined in this rule, shall be considered as causing damage to the environment.

- 11. Responsibilities of the recycler.** – (1) shall ensure that the facility and recycling processes are in accordance with the standards or guidelines prescribed by the Central Pollution Control Board from time to time;
- (2) obtain authorisation from concerned State Pollution Control Board in accordance with the procedure under the sub-rule (3) of rule 13;
  - (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
  - (4) ensure that the recycling processes do not have any adverse effect on the health and the environment;
  - (5) make available all records to the Central Pollution Control Board or the concerned State Pollution Control Board for inspection;
  - (6) ensure that the fractions or material not recycled in its facility is sent to the respective authorised recyclers;
  - (7) ensure that residue generated during recycling process is disposed of in an authorised treatment storage disposal facility;
  - (8) maintain record of e-waste collected, dismantled, recycled and sent to authorised recycler in Form-2 and make such record available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
  - (9) file annual returns in Form-3, to the concerned State Pollution Control Board as the case may be, on or before 30<sup>th</sup> day of June following the financial year to which that return relates;
  - (10) may accept waste electrical and electronic equipment or components not listed in Schedule I for recycling provided that they do not contain any radioactive material and same shall be indicated while taking the authorisation from concerned State Pollution Control Board;
  - (11) operation without Authorisation by any recycler, as defined in this rule, shall be considered as causing damage to the environment.

**12. Responsibilities of State Government for environmentally sound management of E-waste.** – (1) Department of Industry in State or any other government agency authorised in this regard by the State Government, to ensure earmarking or allocation of industrial space or shed for e-waste dismantling and recycling in the existing and upcoming industrial park, estate and industrial clusters;

(2) Department of Labour in the State or any other government agency authorised in this regard by the State Government shall:

- a. ensure recognition and registration of workers involved in dismantling and recycling;
- b. assist formation of groups of such workers to facilitate setting up dismantling facilities;
- c. undertake industrial skill development activities for the workers involved in dismantling and recycling;
- d. undertake annual monitoring and to ensure safety & health of workers involved in dismantling and recycling;

(3) State Government to prepare integrated plan for effective implementation of these provisions, and to submit annual report to Ministry of Environment, Forest and Climate Change.

## CHAPTER III

### PROCEDURE FOR SEEKING AND GRANT OF AUTHORISATION FOR MANAGEMENT OF E-WASTE

#### 13. Procedure for Seeking and Grant of Authorisation. -

- (1) **Extended Producer Responsibility - Authorisation of Producers.** – (i) every producer of electrical and electronic equipment listed in Schedule I, shall make an application for Extended Producer Responsibility - Authorisation within a period of ninety days starting from the date of these rules coming into force in Form-1 to Central Pollution Control Board;
- (ii) on receipt of the application complete in all respects, the Central Pollution Control Board will carry out evaluation of the Extended Producer Responsibility Plan and on being satisfied that the producer has detailed out an effective system to manage Extended Producer Responsibility in the country, shall grant Extended Producer Responsibility - Authorisation, in Form 1(aa) within a period of one hundred and twenty days. The Extended Producer Responsibility - Authorisation shall be valid for a period of five years;

This authorisation shall include among others the targeted quantity of e-waste, product code wise, to be collected during the year. The actual target for collection of e-waste for dismantling or recycling will be fixed on the basis of quantity of electrical and electronic equipment, product code wise, placed in the market in the previous years and taking into consideration the average life of the equipment. The estimated quantity of e-waste generated during the current year will be indicated by the producer and the quantity expected to be collected with the collection scheme proposed to be implemented by the producer will be indicated in the Extended Producer Responsibility plan. The Central Pollution Control Board shall fix the targets in accordance with Schedule III.

- (iii) the Central Pollution Control Board, after giving reasonable opportunity of being heard to the applicant shall refuse to grant Extended Producer Responsibility – Authorisation;
- (iv) in the event of refusal of Extended Producer Responsibility - Authorisation by the Central Pollution Control Board, the producer will forfeit his right to put any Electrical and Electronic Equipment in the market till such time the Extended Producer Responsibility - Authorisation is granted;
- (v) the Central Pollution Control Board after grant of Extended Producer Responsibility - Authorisation shall forward the Extended Producer Responsibility Plan to respective State Pollution Control Board for monitoring;
- (vi) an application for the renewal of Extended Producer Responsibility-Authorisation shall be made in Form-1 before one hundred and twenty days of its expiry to Central Pollution Control Board. The Central Pollution Control Board may renew the authorisation for a period of five years after receipt of compliance report from the concerned State Pollution Control Board which shall submit the compliance report to Central Pollution Control Board within sixty days from the date of the receipt of the application. In case of non receipt of the compliance report from the State Pollution Control Board within stipulated time period of sixty days, Central Pollution Control Board may renew the Extended Producer Responsibility-Authorisation after examining such case on merit basis, subject to no report of violation of the provisions of the Act or the rules made there under or the conditions specified in the Extended Producer Responsibility - Authorisation;

- (vii) every producer of Electrical and Electronic Equipment listed in Schedule I, shall take all steps, wherever required, to comply with the conditions specified in the Extended Producer Responsibility – Authorisation;
  - (viii) the concerned State Pollution Control Board shall monitor the compliance of Extended Producer Responsibility - Authorisation, take cognizance of any non-compliance and inform Central Pollution Control Board for taking action, as necessary;
  - (ix) Central Pollution Control Board shall conduct random check and if in its opinion, the holders of the Extended Producer Responsibility - Authorisation has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules and after giving a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the Extended Producer Responsibility - Authorisation issued under these rules for such period as it considers necessary in the public interest and inform the concerned State Pollution Control Board within ten days of cancellation.
  - (x) the Central Pollution Control Board shall maintain an online register of Extended Producer Responsibility - Authorisation granted with conditions imposed under these rules for environmentally sound management of e-waste, and which shall be accessible to any citizen of the country.
  - (xi) The producer authorised under the provision of this rule shall maintain records in Form-2 and shall file annual returns of its activities of previous year in Form-3 to the Central Pollution Control Board on or before 30<sup>th</sup> day of June of every year;
- (2) **Authorisation of Manufacturer.** –
- (i) the manufacturer generating e-waste shall obtain an authorisation from the concerned State Pollution Control Board;
  - (ii) the manufacturer shall make an application for authorisation, within a period of ninety days from the date of these rules coming into force in Form 1(a) to the concerned State Pollution Control Board for grant of authorisation;
  - (iii) on receipt of the application complete in all respects for the authorisation, the concerned State Pollution Control Board may, after such enquiry as it considers necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle e-waste safely, grant within a period of one hundred and twenty days an authorisation in Form 1(bb) to the applicant to carry out safe operations in the authorised place only, which shall be valid for a period of five years;
  - (iv) the concerned State Pollution Control Board after giving reasonable opportunity of being heard to the applicant may refuse to grant any authorisation;
  - (v) every person authorised under these rules shall maintain the record of e-waste handled by them in Form-2 and prepare and submit to the concerned State Pollution Control Board, an annual return containing the details specified in Form-3 on or before the 30<sup>th</sup> day of June following the financial year to which that return relates;
  - (vi) an application for the renewal of an authorisation shall be made in Form-1(a) before one hundred and twenty days of its expiry and the concerned State Pollution Control Board may renew the authorisation for a period of five years after examining each case on merit and subject to the condition that there is no report of violation of the provisions of the Act or the rules made thereunder or the conditions specified in the authorisation;
  - (vii) manufacturer shall take all steps to comply with the conditions specified in the authorisation;
  - (viii) the concerned State Pollution Control Board shall maintain an online register of authorisations granted with conditions imposed under these rules for

environmentally sound management of e-waste, and which shall be accessible to any citizen of the country.

**(3) Procedure for grant of authorisation to dismantler or recycler.** - (i) every Dismantler or Recycler of e-waste shall make an application, within a period of one hundred and twenty days starting from the date of coming into force of these rules, in Form-4 in triplicate to the concerned State Pollution Control Board accompanied with a copy of the following documents for the grant or renewal of authorisation, namely:-

- (a) consent to establish granted by the concerned State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974, (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981(21 of 1981);
- (b) certificate of registration issued by the District Industries Centre or any other government agency authorised in this regard;
- (c) proof of installed capacity of plant and machinery issued by the District Industries Centre or any other government agency authorised in this behalf;
- (d) in case of renewal, a certificate of compliance of effluent and emission standards, treatment and disposal of hazardous wastes as applicable from the concerned State Pollution Control Board or any other agency designated for this purpose:

Provided that any person authorised or registered under the provisions of the Hazardous Wastes (Management, Handling and Transboundary Movements) Rules, 2008, and the E-waste (Management & Handling) Rules, 2011 prior to the date of coming into force of these rules shall not be required to make an application for authorisation till the period of expiry of such authorisation or registration:

- (ii) the concerned State Pollution Control Board, on being satisfied that the application is complete in all respects and that the applicant is utilising environmentally sound technologies and possess adequate technical capabilities, requisite facilities and equipment to dismantle or recycle and process e-waste in compliance to the guidelines specified by Central Pollution Control Board from time to time and through site inspection, may grant authorisation to such applicants stipulating therein necessary conditions as deemed necessary for carrying out safe operations in the authorised place only;
- (iii) the concerned State Pollution Control Board shall dispose of the application for authorisation within a period of one hundred and twenty days from the date of the receipt of such application complete in all respects;
- (iv) the authorisation granted under these rules shall be valid for a period of five years from the date of its issue and shall be accompanied with a copy of the field inspection report signed by that Board indicating the adequacy of facilities for dismantling or recycling of e-waste and compliance to the guidelines specified by Central Pollution Control Board from time to time;
- (v) the concerned State Pollution Control Board may refuse, cancel or suspend an authorisation granted under these rules, if it has reasons to believe that the authorised dismantler or recycler has failed to comply with any of the conditions of authorisation, or with any provisions of the Act or rules made thereunder, after giving an opportunity to the dismantler or recycler to be heard and after recording the reasons thereof;
- (vi) an application for the renewal of authorisation shall be made in Form - 4 before one hundred and twenty days of its expiry and the concerned State Pollution Control Board may renew the authorisation for a period of five years after

- examining each case on merit and subject to the condition that there is no report of violation of the provisions of the Act or the rules made there under or the conditions specified in the authorisation;
- (vii) the Dismantler and Recycler shall maintain records of the e-waste purchased, processed in Form-2 and shall file annual returns of its activities of previous year in Form-3 to the concerned State Pollution Control Board on or before 30<sup>th</sup> day of June of every year;
  - (viii) the Central Government and the Central Pollution Control Board may issue guidelines for standards of performance for dismantling and recycling processes from time to time.
- (4) **Procedure for grant of authorisation to refurbisher.** – (i) every refurbisher of e-waste shall make an application, with in a period of one hundred and twenty days starting from the date of coming into force of these rules, in Form 1 (a) in triplicate to the concerned State Pollution Control Board accompanied with a copy of the following documents for the grant or renewal of authorisation, namely:-
- (a) consent to establish granted by the concerned State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974, (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981);
  - (b) certificate of registration issued by the District Industries Centre or any other government agency authorised in this regard;
  - (c) proof of installed capacity of plant and machinery issued by the District Industries Centre or any other government agency authorised in this behalf.
- (ii) the concerned State Pollution Control Board, on being satisfied that the application is complete in all respects and complies with the guidelines prescribed by Central Pollution Control Board from time to time, may grant one time authorisation in Form 1 (bb) to such applicants stipulating therein necessary conditions as deemed necessary for carrying out refurbishing activities in the authorised place only;
  - (iii) the concerned State Pollution Control Board shall dispose of the application for authorisation within a period of one hundred and twenty days from the date of the receipt of such application complete in all respects;
  - (iv) the concerned State Pollution Control Board may refuse, cancel or suspend a authorisation granted under these rules, if it has reasons to believe that the authorised refurbisher has failed to comply with any of the conditions of authorisation, or with any provisions of the Act or rules made thereunder, after giving an opportunity to the refurbisher to be heard and after recording the reasons thereof;
  - (v) the Refurbisher shall maintain records of the e-waste purchased and refurbished in Form-2 and shall file annual returns of its activities of previous year in Form-3 to the concerned State Pollution Control Board on or before 30<sup>th</sup> day of June of every year.

**14. Power to suspend or cancel an authorisation.**- (1) The State Pollution Control Board may, if in its opinion, the holder of Manufacturer or Dismantler or Recycler or Refurbisher Authorisation has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules and after giving a reasonable opportunity of being heard and after recording reasons thereof in writing

cancel or suspend the authorisation issued under these rules for such period as it considers necessary in the public interest and inform Central Pollution Control Board within ten days of cancellation;

(2) The Central Pollution Control Board, if in its opinion, the holders of the Extended Producer Responsibility- Authorisation has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules and after giving a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the Extended Producer Responsibility- Authorisation issued under these rules for such period as it considers necessary in the public interest and inform State Pollution Control Boards or Pollution Control Committees within ten days of cancellation;

(3) Upon suspension or cancellation of the authorisation, the Central Pollution Control Board or State Pollution Control Board may give directions to the persons whose authorisation has been suspended or cancelled for the safe storage and management of the e-waste and such persons shall comply with such directions.

#### **CHAPTER IV**

**15. Procedure for storage of e-waste.** - Every manufacturer, producer, bulk consumer, collection centre, dealer, refurbisher, dismantler and recycler may store the e-waste for a period not exceeding one hundred and eighty days and shall maintain a record of collection, sale, transfer and storage of wastes and make these records available for inspection:

Provided that the concerned State Pollution Control Board may extend the said period up to three hundred and sixty five days in case the waste needs to be specifically stored for development of a process for its recycling or reuse.

#### **CHAPTER V**

#### **REDUCTION IN THE USE OF HAZARDOUS SUBSTANCES IN THE MANUFACTURE OF ELECTRICAL AND ELECTRONIC EQUIPMENT AND THEIR COMPONENTS OR CONSUMABLES OR PARTS OR SPARES**

**16. Reduction in the use of hazardous substances in the manufacture of electrical and electronic equipment and their components or consumables or parts or spares.** – (1) Every producer of electrical and electronic equipment and their components or consumables or parts or spares listed in Schedule I shall ensure that, new Electrical and Electronic Equipment and their components or consumables or parts or spares do not contain Lead, Mercury, Cadmium, Hexavalent Chromium, polybrominated biphenyls and polybrominated diphenyl ethers beyond a maximum concentration value of 0.1% by weight in homogenous materials for lead, mercury, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers and of 0.01% by weight in homogenous materials for cadmium.

(2) Components or consumables or parts or spares required for the electrical and electronic equipment placed in the market prior to 1<sup>st</sup> May, 2014 may be exempted from the provisions of sub-rule (1) of rule 16 provided Reduction of Hazardous Substances compliant parts and spares are not available.

(3) The applications listed in Schedule II shall be exempted from provisions of sub-rule (1) of rule 16.

- (4) Every producer of applications listed in Schedule II shall ensure that the limits of hazardous substances as given in Schedule II are to be complied.
- (5) Every producer shall provide the detailed information on the constituents of the equipment and their components or consumables or parts or spares alongwith a declaration of conformance to the Reduction of Hazardous Substances provisions in the product user documentation.
- (6) Imports or placement in the market for new electrical and electronic equipment shall be permitted only for those which are compliant to provisions of sub-rule (1) and sub rule (4) of rule 16.
- (7) Manufacture and supply of electrical and electronic equipment used for defence and other similar strategic applications shall be excluded from provisions of sub-rule (1) of rule 16.
- (8) Every producer while seeking Extended Producer Responsibility - Authorisation will provide information on the compliance of the provisions of sub-rule (1) of rule 16. This information shall be in terms of self-declaration.
- (9) Central Pollution Control Board shall conduct random sampling of electrical and electronic equipment placed on the market to monitor and verify the compliance of Reduction of Hazardous Substances provisions and the cost for sample and testing shall be borne by the Producer. The random sampling shall be as per the guidelines of Central Pollution Control Board.
- (10) If the product does not comply with Reduction of Hazardous Substances provisions, the Producers shall take corrective measures to bring the product into compliance and withdraw or recall the product from the market, within a reasonable period as per the guidelines of the Central Pollution Control Board.
- (11) Central Pollution Control Board shall publish the methods for sampling and analysis of Hazardous Substances as listed in sub-rule(1) of rule 16 with respect to the items listed in Schedule I and II and also enlist the labs for this purpose.

## **CHAPTER VI**

### **MISCELLANEOUS**

**17. Duties of authorities.** - Subject to other provisions of these rules, the authorities shall perform duties as specified in Schedule IV.

**18. Annual Report.** – (1) The concerned State Pollution Control Board shall prepare and submit to the Central Pollution Control Board an annual report with regard to the implementation of these rules by the 30<sup>th</sup> day of September every year in Form-5.

(2) The Central Pollution Control Board shall prepare the consolidated annual review report on management of e-waste and forward it to the Central Government along with its recommendations before the 30<sup>th</sup> day of December every year.

**19. Transportation of e-waste.** –The transportation of e-waste shall be carried out as per the manifest system whereby the transporter shall be required to carry a document (three copies) prepared by the sender, giving the details as per Form-6:

Provided that the transportation of waste generated from manufacturing or recycling destined for final disposal to a treatment, storage and disposal facility shall follow the provisions under Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.

**20. Accident reporting.-** Where an accident occurs at the facility processing e-waste or during transportation of e-waste, the producer, refurbisher, transporter, dismantler, or recycler, as the case may be, shall report immediately to the concerned State Pollution Control Board about the accident through telephone and e-mail.

**21. Liability of manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler.-** (1) The manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler shall be liable for all damages caused to the environment or third party due to improper handling and management of the e-waste;

(2) The manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler shall be liable to pay financial penalties as levied for any violation of the provisions under these rules by the State Pollution Control Board with the prior approval of the Central Pollution Control Board.

**22. Appeal.-** (1) Any person aggrieved by an order of suspension or cancellation or refusal of authorisation or its renewal passed by the Central Pollution Control Board or State Pollution Control Board may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form 7 to the Appellate Authority comprising of the Environment Secretary of the State.

(2) The Appellate Authority may entertain the appeal after expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) Every appeal filed under this rule shall be disposed of within a period of sixty days from the date of its filing.

**23.** The collection, storage, transportation, segregation, refurbishment, dismantling, recycling and disposal of e-waste shall be in accordance with the procedures prescribed in the guidelines published by the Central Pollution Control Board from time to time. Implementation of e-waste (Management and Handling) Amendment Rules, 2011 shall be in accordance with the guidelines prescribed by the Central Pollution Control Board from time to time.

**24.** Urban Local Bodies (Municipal Committee or Council or Corporation) shall ensure that e-waste pertaining to orphan products is collected and channelised to authorised dismantler or recycler.

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## SCHEDULE I

*[See rules 2, 3(j), 3(y), 3(aa) and 3(ff); 5; 9; 11(10); 13 (1) (i), 13 (1) (vii) and 16(1), 16(11)]*

**Categories of electrical and electronic equipment including their components, consumables, parts and spares covered under the rules**

Sr. No.	Categories of electrical and electronic equipment	Electrical and electronic equipment code
i.	<b>Information technology and telecommunication equipment :</b>	
	Centralised data processing: Mainframes, Minicomputers	ITEW1
	Personal Computing: Personal Computers (Central Processing Unit with input and output devices)	ITEW2
	Personal Computing: Laptop Computers(Central Processing Unit with input and output devices)	ITEW3
	Personal Computing: Notebook Computers	ITEW4
	Personal Computing: Notepad Computers	ITEW5
	Printers including cartridges	ITEW6
	Copying equipment	ITEW7
	Electrical and electronic typewriters	ITEW8
	User terminals and systems	ITEW9
	Facsimile	ITEW10
	Telex	ITEW11
	Telephones	ITEW12
	Pay telephones	ITEW13
	Cordless telephones	ITEW14
	Cellular telephones	ITEW15
	Answering systems	ITEW16
ii.	<b>Consumer electrical and electronics:</b>	
	Television sets (including sets based on (Liquid Crystal Display and Light Emitting Diode technology)	CEEW1
	Refrigerator	CEEW2
	Washing Machine	CEEW3
	Air-conditioners excluding centralised air conditioning plants	CEEW4
	Fluorescent and other Mercury containing lamps	CEEW5

## SCHEDULE II

*[See rules 16 (3), 16 (4) and 16 (11)]*

<b>Applications, which are exempted from the requirements of sub-rule (1) of rule 16</b>	
	Substance
1	Mercury in single capped (compact) fluorescent lamps not exceeding (per burner):
1(a)	For general lighting purposes <30 W : 2.5 mg
1(b)	For general lighting purposes ≥ 30 W and <50 W : 3.5mg
1(c)	For general lighting purposes ≥ 50 W and <150 W : 5mg
1(d)	For general lighting purposes ≥150 W : 15 mg
1(e)	For general lighting purposes with circular or square structural shape and tube diameter ≤17 mm : 7mg
1(f)	For special purposes:5 mg
2(a)	Mercury in double-capped linear fluorescent lamps for general lighting purposes not exceeding (per lamp):
2(a)(1)	Tri-band phosphor with normal life time and a tube diameter < 9mm (e.g. T2): 4mg
2(a)(2)	Tri-band phosphor with normal life time and a tube diameter ≥ 9 mm and ≤ 17 mm (e.g. T5): 3 mg
2(a)(3)	Tri- band phosphor with normal life time and a tube diameter >17 mm and ≤ 28 mm(e.g. T8): 3.5 mg
2(a)(4)	Tri-band phosphor with normal life time and a tube diameter >28 mm (e.g. T12):3.5 mg
2(a)(5)	Tri-band phosphor with long life time (≥25000 h):5mg
2(b)	Mercury in other fluorescent lamps not exceeding(per lamp):
2(b)(1)	Linear halophosphate lamps with tube >28 mm (e.g. T 10 and T12):10 mg
2(b)(2)	Non-linear halophosphate lamps(all diameters):15mg
2(b)(3)	Non-linear tri-band phosphor lamps with tube diameter >17 mm(e.g.T9): 15 mg
2(b)(4)	Lamps for other general lighting and special purposes (e.g. induction lamps):15mg
3	Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL)for special purposes not exceeding (per lamp):
3(a)	Short length( ≤ 500 mm):3.5mg
3(b)	Medium length(>500 mm and≤1500 mm): 5mg
3(c)	Long length(>1500 mm): 13mg
4(a)	Mercury in other low pressure discharge lamps (per lamp): 15mg
4(b)	Mercury in High Pressure Sodium(vapour) lamps for general lighting purposes not exceeding (per burner)in lamps with improved colour rendering index Ra>60:

4(b)-I	$P \leq 155$ W : 30 mg
4(b)-II	$155$ W < $P \leq 405$ W : 40 mg
4(b)-III	$P > 405$ W: 40 mg
4(c)	Mercury in other High Pressure Sodium(vapour)lamps for general lighting purposes not exceeding (per burner):
4(c)-I	$P \leq 155$ W:25mg
4(c)-II	$155$ W < $P \leq 405$ W:30 mg
4(c)-III	$P > 405$ W:40 mg
4(d)	Mercury in High Pressure Mercury (vapour) lamps (HPMV)
4(e)	Mercury in metal halide lamps (MH)
4(f)	Mercury in other discharge lamps for special purposes not specifically mentioned in this Schedule
5(a)	Lead in glass of cathode ray tubes
5(b)	Lead in glass of fluorescent tubes not exceeding 0.2% by weight
6(a)	Lead as an alloying element in steel for machining purposes and in galvanized steel containing up to 0.35% lead by weight
6(b)	Lead as an alloying element in aluminium containing up to 0.4% lead by weight
6(c)	Copper alloy containing up to 4% lead by weight
7(a)	Lead in high melting temperature type solders (i.e. lead-based alloys containing 85% by weight or more lead)
7(b)	Lead in solders for servers, storage and storage array systems, network infrastructure equipment for switching, signalling, transmission, and network management for telecommunications
7(c)-I	Electrical and electronic components containing lead in a glass or ceramic other than dielectric ceramic in capacitors, e.g. piezoelectric devices, or in a glass or ceramic matrix compound.
7(c)-II	Lead in dielectric ceramic in capacitors for a rated voltage of 125 V AC or 250 V DC or higher
7(c)-III	Lead in dielectric ceramic in capacitors for a rated voltage of less than 125 V AC or 250 V DC
8(a)	Cadmium and its compounds in one shot pellet type thermal cut-offs
8(b)	Cadmium and its compounds in electrical contracts
9	Hexavalent chromium as an anticorrosion agent of the carbon steel cooling system in absorption refrigerators up to 0.75% by weight in the cooling solution
9(b)	Lead in bearing shells and bushes for refrigerant-containing compressors for heating, ventilation, air conditioning and refrigeration (HVACR) application.

11(a)	Lead used in C-press compliant pin connector systems
11(b)	Lead used in other than C-press compliant pin connector systems
12	Lead as a coating material for the thermal conduction module C- ring
13(a)	Lead in white glasses used for optical applications
13(b)	Cadmium and lead in filter glasses and glasses used for reflectance standards.
14	Lead in solders consisting of more than two elements for the connection between the pins and the package of microprocessors with a lead content of more than 80% and less than 85% by weight
15	Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages.
16	Lead in linear incandescent lamps with silicate coated tubes
17	Lead halide as radiant agent in high intensity discharge (HID) lamps used for professional reprography applications.
18(a)	Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as specialty lamps for diazoprinting reprography, lithography, insect traps, photochemical and curing processes containing phosphors such as SMS ((Sr, Ba) <sub>2</sub> Mg Si <sub>2</sub> O <sub>7</sub> :Pb)
18(b)	Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as sun tanning lamps containing phosphors such as BSP (Ba Si <sub>2</sub> O <sub>5</sub> :Pb)
19	Lead with PbBiSn-Hg and PbInSn-Hg in specific compositions as main amalgam and with PbSn-Hg as auxiliary amalgam in very compact energy saving lamps (ESL)
20	Lead oxide in glass used for bonding front and rear substrates of flat fluorescent lamps used for Liquid Crystal Displays (LCDs)
21	Lead and cadmium in printing inks for the application of enamels on glasses, such as borosilicate and soda lime glasses
23	Lead in finishes of fine pitch components other than connectors with a pitch of 0.65 mm and less
24	Lead in solders for the soldering to machined through hole discoidal and planar array ceramic multilayer capacitors
25	Lead oxide in surface conduction electron emitter displays (SED) used in structural elements, notably in the seal frit and frit ring.
26	Lead oxide in the glass envelope of black light blue lamps
27	Lead alloys as solder for transducers used in high-powered (designated to operate for several hours at acoustic power levels of 125 dB SPL and above) loudspeakers
29	Lead bound in crystal glass

30	Cadmium alloys as electrical/mechanical solder joints to electrical conductors located directly on the voice coil in transducers used in high-powered loudspeakers with sound pressure levels of 100 dB(A) and more
31	Lead in soldering materials in mercury free flat fluorescent lamps (which e.g. are used for liquid crystal displays, design or industrial lighting)
32	Lead oxide in seal frit used for making window assemblies for Argon and Krypton laser tubes
33	Lead in solders for the soldering of thin copper wires of 100 µm diameter and less in power transformers
34	Lead in cermet-based trimmer potentiometer elements
36	Mercury used as a cathode sputtering inhibitor in DC plasma displays with a content up to 30 mg per display
37	Lead in the plating layer of high voltage diodes on the basis of a zinc borate glass body
38	Cadmium and cadmium oxide in thick film pastes used on aluminium bonded beryllium oxide
39	Cadmium in colour converting II-VI LEDs (<10 µg Cd per mm <sup>2</sup> of light-emitting area) for use in solid state illumination or display systems.

### SCHEDULE III

[See rules 5 (1) (a) and 13 (1) (ii)]

#### Targets for Extended Producer Responsibility - Authorisation

No.	Year	E-Waste Collection Target (Number/Weight)
(i)	During first two year of implementation of rules	30% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(ii)	During third and fourth years of implementation of rules	40% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(iii)	During Fifth and Sixth years of implementation of rules	50% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(iv)	Seventh year onward of implementation of rules	70% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.

## SCHEDULE IV

[See rule (17)]

### LIST OF AUTHORITIES AND CORRESPONDING DUTIES

Sr. No	AUTHORITY	CORRESPONDING DUTIES
1.	Central Pollution Control Board, Delhi	<ul style="list-style-type: none"> <li>(i) Grant and Renewal of Extended Producer Responsibility - Authorisation and monitoring of its compliance.</li> <li>(ii) Maintain information on Extended Producer Responsibility - Authorisation on its web site.</li> <li>(iii) Set and revise targets for collection of e-waste from time to time.</li> <li>(iv) Coordination with State Pollution Control Boards</li> <li>(v) Preparation of Guidelines for Environmentally Sound Management of e-waste.</li> <li>(vi) Conduct random check for ascertaining compliance of the e-waste rules and identification of such importers or producers who have not applied for Extended Producer Responsibility authorisation or are not complying with RoHS provision. Wherever necessary, Central Pollution Control Board will seek the help of customs department or any other agency of the Government of India.</li> <li>(vii) Conduct random inspection of dismantler or recycler or refurbisher.</li> <li>(viii) Documentation, compilation of data on e-waste and uploading on websites of Central Pollution Control Board</li> <li>(ix) Actions against violation of these rules.</li> <li>(x) Conducting training programmes.</li> <li>(xi) Submit Annual Report to the Ministry.</li> <li>(xii) Enforcement of provisions regarding reduction in use of hazardous substances in manufacture of electrical and electronic equipment.</li> <li>(xiii) Interaction with IT industry for reducing hazardous substances.</li> <li>(xiv) Set and revise targets for compliance to the reduction in use of hazardous substance in manufacture of electrical and electronic equipment from time to time.</li> <li>(xv) Any other function delegated by the Ministry under these rules from time to time.</li> </ul>
2.	State Pollution Control Boards or Committees of Union territories	<ul style="list-style-type: none"> <li>(i) Inventorisation of e-waste.</li> <li>(ii) Grant and renewal of authorisation to manufacturers, dismantlers, recyclers and refurbishers.</li> <li>(iii) Monitoring and compliance of Extended Producer Responsibility - Authorisation as directed by Central Pollution Control Board and that of dismantlers, recyclers and refurbishers authorisation.</li> <li>(iv) Conduct random inspection of dismantler or recycler or refurbisher.</li> <li>(v) Maintain online information regarding authorisation granted to manufacturers, dismantlers, recyclers and refurbishers.</li> </ul>

Sr. No	AUTHORITY	CORRESPONDING DUTIES
		(vi) Implementation of programmes to encourage environmentally sound recycling. (vii) Action against violations of these rules. (viii) Any other function delegated by the Ministry under these rules.
3.	Urban Local Bodies (Municipal Committee or Council or Corporation)	(i) To ensure that e-waste if found to be mixed with Municipal Solid Waste is properly segregated, collected and is channelised to authorised dismantler or recycler. (ii) To ensure that e-waste pertaining to orphan products is collected and channelised to authorised dismantler or recycler.
4.	Port authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962)	(i) Verify the Extended Producer Responsibility - Authorisation. (ii) Inform Central Pollution Control Board of any illegal traffic for necessary action. (iii) Take action against importer for violations under the Indian Ports Act, 1908/Customs Act, 1962.

\*\*\*\*

**FORM-1***[See Rules 5(1) (g), 13(1) (i), 13(1) (vi)]***Applicable to producers seeking Extended Producer Responsibility -  
Authorisation**

The application form should contain the following information:

1.	Name and full address along with telephone numbers, e-mail and other contact details of Producer (It should be the place from where sale in entire country is being managed)	:	
2.	Name of the Authorised Person and full address with e-mail, telephone and fax number	:	
3.	Name, address and contact details of Producer Responsibility Organisation, if any with full address, e-mail, telephone and fax number, if engaged for implementing the Extended Producer Responsibility	:	
4.	Details of electrical and electronic equipment placed on market year-wise during previous 10 years in the form of Table 1 as given below:	:	

**Table 1: Details of Electrical and Electronic Equipment placed on the market in previous years - Code wise**

Sr. No.	Electrical and Electronic Equipment Item	Electrical and Electronic Equipment Code	Quantity, number and weight placed on market (year-wise)									
<b>A</b>	<b>Information technology and telecommunication equipment:</b>											
1	Centralised data processing: Mainframes, Minicomputers	ITEW1										
2	Personal Computing: Personal Computers (Central Processing Unit with input and output devices)	ITEW2										
3	Personal Computing: Laptop Computers(Central Processing Unit with input and	ITEW3										

	output devices)												
4	Personal Computing: Notebook Computers	ITEW4											
5	Personal Computing: Notepad Computers	ITEW5											
6	Printers including cartridges	ITEW6											
7	Copying equipment	ITEW7											
8	Electrical and electronic typewriters	ITEW8											
9	User terminals and systems	ITEW9											
10	Facsimile	ITEW10											
11	Telex	ITEW11											
12	Telephones	ITEW12											
13	Pay telephones	ITEW13											
14	Cordless telephones	ITEW14											
15	Cellular telephones	ITEW15											
16	Answering systems	ITEW16											
<b>B</b>	<b>Consumer electrical and electronics:</b>												
17	Television sets (including sets based on Liquid Crystal Display and Light Emitting Diode technology)	CEEW1											
18	Refrigerator	CEEW2											
19	Washing Machine	CEEW3											
20	Air-conditioners excluding centralised air conditioning plants	CEEW4											
21	Fluorescent and other Mercury containing lamps	CEEW5											

5. Estimated generation of Electrical and Electronic Equipment waste item-wise and estimated collection target for the forthcoming year in the form of Table 2 including those being generated from their service centres, as given below:

**Table 2: Estimated generation of Electrical and Electronic Equipment waste item-wise and estimated collection target for the forthcoming year**

Sr. No.	Item	Estimated electrical and electronic equipment generation Number and weight	Targeted collection Number and weight

6. Extended Producer Responsibility Plans:

(a) Please provide details of your overall scheme to fulfil Extended Producer Responsibility obligations including targets. This should comprise of general scheme of collection of used/waste Electrical and Electronic Equipment from the Electrical and Electronic Equipment placed on the market earlier such as through dealers and collection centres, Producer Responsibility Organisation, through buy-back arrangement, exchange scheme, Deposit Refund Scheme, etc. whether directly or through any authorised agency and channelising the items so collected to authorised recyclers.

(b) Provide the list with addresses along with agreement copies with dealers, collection centres, recyclers, Treatment, Storage and Disposal Facility, etc. under your scheme.

7. Estimated budget for Extended Producer Responsibility and allied initiatives to create consumer awareness.

8. Details of proposed awareness programmes.

9. Details for Reduction of Hazardous Substances compliance (to be filled if applicable):

(a) Whether the Electrical and Electronic Equipment placed on market complies with the rule 16 (1) limits with respect to lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers;

(b) Provide the technical documents (Supplier declarations, Materials declarations/Analytical reports) as evidence that the Reduction of Hazardous Substances (RoHS) provisions are complied by the product based on standard EN 50581 of EU;

- (c) Documents required:

- i. Extended Producer Responsibility plan;
- ii. Copy of the permission from the relevant Ministry/Department for selling their product;

- iii. Copies of agreement with dealers, collection centre, recyclers, Treatment, Storage and Disposal Facility, etc.;
- iv. Copy of Directorate General of Foreign Trade license/permission as applicable;
- v. Self-declaration regarding Reduction of Hazardous Substances provision;
- vi. Any other document as required.

**(Authorised signature)**

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**FORM 1(a)**

[See rules 4(2), 8 (2), 13(2) (ii), 13(2) (vi) and 13(4) (i)]

**APPLICATION FOR OBTAINING AUTHORISATION FOR GENERATION OR STORAGE OR TREATMENT OR DISPOSAL OF E-WASTE BY MANUFACTURER OR REFURBISHER\***

From: .....  
.....

To  
The Member Secretary,  
..... Pollution Control Board or..... Pollution Control Committee  
.....  
.....

Sir,  
I / We hereby apply for authorisation/renewal of authorisation under rule 13(2) (i) to 13(2) (viii) and/or 13 (4) (i) of the E-Waste (Management) Rules, 2016 for collection/storage/ transportation/ treatment/ refurbishing/disposal of e-wastes.

**For Office Use Only**

Code No. :  
Whether the unit is situated in a critically polluted area as identified by Ministry of Environment and Forests (yes/no);

**To be filled in by Applicant**

1. Name and full address:
2. Contact Person with designation and contact details such as telephone Nos, Fax. No. and E-mail:
3. Authorisation required for (Please tick mark appropriate activity/ies\*)
  - (i) Generation during manufacturing or refurbishing\*
  - (ii) Treatment, if any
  - (iii) Collection, Transportation, Storage
  - (iv) Refurbishing
4. E-waste details:
  - (a) Total quantity e-waste generated in MT/A
  - (b) Quantity refurbished (applicable to refurbisher)
  - (c) Quantity sent for recycling
  - (d) Quantity sent for disposal
5. Details of Facilities for storage/handling/treatment/refurbishing:
6. In case of renewal of authorisation previous authorisation no. and date and details of annual returns:

Place : \_\_\_\_\_

Signature \_\_\_\_\_

Date : \_\_\_\_\_

(Name \_\_\_\_\_)

Designation: \_\_\_\_\_

**Note:-**

(1) \* The authorisation for e-waste may be obtained along with authorisation for hazardous waste under the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, if applicable.

(2) Wherever necessary, use additional sheets to give requisite and necessary details.

**FORM 1 (aa)**  
[See rules 5 (6) and 13(1)(ii)]

**FORMAT OF EXTENDED PRODUCER RESPONSIBILITY - AUTHORISATION**

**[Extended Producer Responsibility Authorisation for Producer of the Electrical & Electronic Equipment]**

**Ref:** Your application for Grant of Extended Producer Responsibility - Authorisation for following Electrical & Electronic Equipment under E-Waste (Management) Rules, 2016

1. Number of Authorisation:

**Date:**

2. **M/s.** ----- is hereby granted Extended Producer Responsibility - Authorisation based on:

- (a) overall Extended Producer Responsibility plan
- (b) proposed target for collection of e-waste

3. The Authorisation shall be valid for a period of \_\_\_ years from date of issue with following conditions:

(i) you shall strictly follow the approved Extended Producer Responsibility plan, a copy of which is enclosed herewith;

(ii) you shall ensure that collection mechanism or centre are set up or designated as per the details given in the Extended Producer Responsibility plan. Information on collection mechanism/centre including the state-wise setup should be provided;

(iii) you shall ensure that all the collected e-waste is channelised to authorised dismantler or recycler designated as per the details. Information on authorised dismantler or recycler designated state-wise should be provided;

(iv) you shall maintain records, in Form-2 of these Rules, of e-waste and make such records available for scrutiny by Central Pollution Control Board;

(v) you shall file annual returns in Form-3 to the Central Pollution Control Board on or before 30th day of June following the financial year to which that returns relates;

(vi) General Terms & Conditions of the Authorisation:

- a. The authorisation shall comply with provisions of the Environment (Protection) Act, 1986 and the Rules made there under;
- b. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the Central Pollution Control Board;
- c. Any change in the approved Extended Producer Responsibility plan should be informed to Central Pollution Control Board on which decision

shall be communicated by Central Pollution Control Board within sixty days;

- d. It is the duty of the authorised person to take prior permission of the concerned State Pollution Control Boards and Central Pollution Control Board to close down the facility;
- e. An application for the renewal of authorisation shall be made as laid down in sub-rule (vi) of rule of 13(1) the E-Waste (Management) Rules, 2016;
- f. The Board reserves right to cancel/amend/revoke the authorisation at any time as per the Policy of the Board or Government.

**Authorized signatory  
(with designation)**

**To,  
Concerned Producer**

**Copy to:**

- 1. Member Secretary, Concerned State.
- 2. In-charge, concerned Zonal Office, Central Pollution Control Board.

**FORM 1(bb)**

[See rules 4(2), 8(2)(a), 13(2) (iii) and 13(4)(ii)]

**FORMAT FOR GRANTING AUTHORISATION FOR GENERATION OR STORAGE OR TREATMENT OR REFRUBISHING OR DISPOSAL OF E-WASTE BY MANUFACTURER OR REFRUBISHER**

**Ref: Your application for Grant of Authorisation**

1. (a) Authorisation no. .... and (b) date of issue .....
2. ....of.....is hereby granted an authorisation for generation, storage, treatment, disposal of e-waste on the premises situated at..... for the following:
  - a. quantity of e-waste;
  - b. nature of e-waste.
3. The authorisation shall be valid for a period from ..... to .....
4. The e-waste mentioned above shall be treated/ disposed off in a manner ..... at .....
5. The authorisation is subject to the conditions stated below and such conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Signature -----

Designation -----

Date: -----

**Terms and conditions of authorisation**

1. The authorisation shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made thereunder.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorized by the concerned State Pollution Control Board.
3. Any unauthorised change in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorisation.
4. It is the duty of the authorised person to take prior permission of the concerned State Pollution Control Board to close down the operations.
5. An application for the renewal of an authorisation shall be made as laid down in sub-rule (vi) of rule 13(2).

**FORM-2**

*[See rules 4(4), 5(4), 6(5), 8(7), 9(2), 10(7), 11(8), 13 (1) (xi), 13(2)(v), 13(3)(vii) and 13 (4)(v)]*

**FORM FOR MAINTAINING RECORDS OF E-WASTE HANDLED OR GENERATED**

**Generated Quantity in Metric Tonnes (MT) per year**

1.	Name & Address: Producer or Manufacturer or Refurbisher or Dismantler or Recycler or Bulk Consumer*		
2.	Date of Issue of Extended Producer Responsibility Authorisation*/ Authorisation*		
3.	Validity of Extended Producer Responsibility Authorisation*/ Authorisation*		
4.	Types & Quantity of e- waste handled or generated**	Category	Quantity
		Item Description	
5.	Types & Quantity of e-waste stored	Category	Quantity
		Item Description	
6.	Types & Quantity of e-waste sent to collection centre authorised by producer/ dismantler/recycler / refurbisher or authorised dismantler/recycler or refurbisher**	Category	Quantity
		Item Description	
7.	Types & Quantity of e-waste transported*	Category	Quantity
		Quantity	
	Name, address and contact details of the destination		
8.	Types & Quantity of e-waste refurbished*	Category	Quantity
		Item Description	
	Name, address and contact details of the destination of refurbished materials		
9.	Types & Quantity of e-waste dismantled*	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		

10.	Types & Quantity of e-waste recycled*	Category	Quantity
	Types & Quantity of materials recovered	Item Description	
		Quantity	
Name, address and contact details of the destination			
11.	Types & Quantity of e-waste sent to recyclers by dismantlers	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		
12.	Types & Quantity of other waste sent to respective recyclers by dismantlers/recyclers of e-waste	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		
13.	Types & Quantity of e-waste treated & disposed	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		

**Note:-**

- (1) \* Strike off whichever is not applicable
- (2) Provide any other information as stipulated in the conditions to the authoriser
- (3) \*\* For producers this information has to be provided state-wise

**FORM-3**

[See rules 4(5), 5(5), 8(6), 9(4), 10(8), 11(9), 13 (1) (xi), 13(2)(v), 13(3)(vii) and 13(4)(v)]

**FORM FOR FILING ANNUAL RETURNS**

[To be submitted by producer or manufacturer or refurbisher or dismantler or recycler by 30<sup>th</sup> day of June following the financial year to which that return relates].

**Quantity in Metric Tonnes (MT) and numbers**

1	Name and address of the producer or manufacturer or refurbisher or dismantler or recycler			
2	Name of the authorised person and complete address with telephone and fax numbers and e-mail address			
3	Total quantity of e-waste collected or channelised to recyclers or dismantlers for processing during the year for each category of electrical and electronic equipment listed in the Schedule I (Attach list) by PRODUCERS			
	Details of the above	TYPE	QUANTITY	No.
3(A)*	BULK CONSUMERS: Quantity of e-waste			
3(B)*	REFURBISHERS: Quantity of e-waste:			
3(C)*	DISMANTLERS: i. Quantity of e-waste processed (Code wise); ii. Details of materials or components recovered and sold; iii. Quantity of e-waste sent to recycler; iv. Residual quantity of e-waste sent to Treatment, Storage and Disposal Facility.			
3(D)*	RECYCLERS: i. Quantity of e-waste processed (Code wise); ii. Details of materials recovered and sold in the market; iii. Details of residue sent to Treatment, Storage and Disposal Facility.			
4	Name and full address of the destination with respect to 3(A)-3(D) above			
5	Type and quantity of materials segregated or recovered from e-waste of different codes as applicable to 3(A)-3(D)	Type	Quantity	

✓ Enclose the list of recyclers to whom e-waste have been sent for recycling.

Place \_\_\_\_\_

Date \_\_\_\_\_

Signature of the authorised person

**Note:-**

- (1) \* Strike off whichever is not applicable
- (2) Provide any other information as stipulated in the conditions to the authoriser
- (3) In case filing on behalf of multiple regional offices, Bulk Consumers and Producers need to add extra rows to 1 & 3(A) with respect to each office.

**FORM-4**

[See rules 13(3)(i) and 13(3)(vi)]

**APPLICATION FORM FOR AUTHORISATION OF FACILITIES POSSESSING ENVIRONMENTALLY SOUND MANAGEMENT PRACTICE FOR DISMANTLING OR RECYCLING OF E-WASTE***(To be submitted in triplicate)*

1.	Name and Address of the unit			
2.	Contact person with designation, Tel./Fax			
3.	Date of Commissioning			
4.	No.of workers (including contract labour)			
5.	Consents Validity	a. Water (Prevention and Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention and Control of Pollution) Act, 1981; Valid up to _____		
6.	Validity of current authorisation if any	e-waste (Management & Handling) Rules, 2011; Valid up to _____		
7.	Dismantling or Recycling Process	Please attach complete details		
8.	Installed capacity in MT/year	Products	Installed capacity (MTA)	
9.	E-waste processed during last three years	Year	Product	Quantity
10.	Waste Management:			
	a. Waste generation in processing e-waste	Please provide details material wise		
	b. Provide details of disposal of residue.	Please provide details		
	c. Name of Treatment Storage and Disposal Facility utilized for			
11.	Details of e-waste proposed to be procured from re-processing	Please provide details		
12.	Occupational safety and health aspects	Please provide details		
13.	Details of Facilities for dismantling both manual as well as mechanised:			

14.	Copy of agreement with Collection Centre	
15.	Copy agreement with Producer	
16.	Details of storage for dismantled e-waste	
17.	Copy of agreement with Recycler	
18.	Details of Facilities for Recycling	
19.	Copy of agreement with Collection Centre	
20.	Copy agreement with Producer	
21.	Details of storage for raw materials and recovered materials	

II. In case of renewal of **authorisation, previous registration or authorisation no. and date**

I hereby declare that the above statements or information are true and correct to the best of my knowledge and belief.

Signature

Place: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Designation: \_\_\_\_\_

**Form-5**  
[See rule 18 (1)]

**FORM FOR ANNUAL REPORT TO BE SUBMITTED BY THE STATE POLLUTION CONTROL BOARD TO THE CENTRAL POLLUTION CONTROL BOARD**

To,

The Chairman,  
Central Pollution Control Board,  
(Ministry of Environment And Forests)  
Government Of India, 'Parivesh Bhawan', East Arjun Nagar,  
Delhi- 110 0032

1.	Number of authorised manufacturer, refurbisher, collection centre, dismantler and recycler for management of e-waste in the State or Union territory under these rules	:	
2.	Categories of waste collected along with their quantities on a monthly average basis:	:	Please attach as Annexure-I
3.	A Summary Statement code-wise of e-waste collected	:	Please attach as Annexure-II
4.	Details of material recovered from recycling of e-waste	:	
5.	Quantity of CFL received at Treatment, Storage and Disposal Facility	:	
6.	The above report is for the period from .....to .....		

Place: \_\_\_\_\_

Date: \_\_\_\_\_

Chairman or the Member Secretary  
State Pollution Control Board

**Form-6**  
[See rule 19]

**E-WASTE MANIFEST**

1.	Sender's name and mailing address (including Phone No.) :	
2.	Sender's authorisation No, if applicable. :	
3.	Manifest Document No. :	
4.	Transporter's name and address :(including Phone No.)	
5.	Type of vehicle :	(Truck or Tanker or Special Vehicle)
6.	Transporter/s registration No. :	
7.	Vehicle registration No. :	
8.	Receiver's name & address :	
9.	Receiver's authorisation No, if applicable. :	
10.	Description of E-Waste (Item, Weight/Numbers) :	
11.	Name and stamp of Sender* (Manufacturer or Producer or Bulk Consumer or Collection Centre or Refurbisher or Dismantler): Signature: Month Day Year	<input type="text"/>
12.	Transporter acknowledgement of receipt of E-Wastes Name and stamp: Signature: Month Day Year	<input type="text"/>
13.	Receiver* (Collection Centre or Refurbisher or Dismantler or Recycler) certification of receipt of E-waste Name and stamp: Signature: Month Day Year	<input type="text"/>

\* As applicable

**Note:-**

Copy number with colour code (1)	Purpose (2)
<b>Copy 1 (Yellow)</b>	To be retained by the sender after taking signature on it from the transporter and other three copies will be carried by transporter.
<b>Copy 2 (Pink)</b>	To be retained by the receiver after signature of the transporter.
<b>Copy 3 (Orange)</b>	To be retained by the transporter after taking signature of the receiver.
<b>Copy 4 (Green)</b>	To be returned by the receiver with his/her signature to the sender

**FORM 7**  
[See rule 22]

**APPLICATION FOR FILING APPEAL  
AGAINST THE ORDER PASSED BY CENTRAL POLLUTION CONTROL  
BOARD/STATE POLLUTION CONTROL BOARD**

1. Name and address of the person making the appeal :
2. Number, date of order and address of the authority : (certified copy of the  
to which passed the order, against which appeal is order be attached)
3. Ground on which the appeal is being made :
4. Relief sought for :
5. List of enclosures other than the order referred  
in point 2 against which the appeal is being filed. :

**Signature.....**

**Name and address.....**

**Place:**

**Date:**

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Bishwanath Sinha  
Joint Secretary to Government of India  
(F No. 12-6/2013-HSMD)

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## 4.2. HIGH COURT DIRECTIONS

This section includes only the key Directives from the High Court of Karnataka in the SWM PIL (WP 24739/2012), as of 10th November 2017. All the additional directions can be accessed via the high court portal ([http://karnatakajudiciary.kar.nic.in/caseStatus\\_CaseNumber.aspx](http://karnatakajudiciary.kar.nic.in/caseStatus_CaseNumber.aspx)) by entering the case number (WP 24739/2012). These include the following:

- 4.2.1. Segregation at Source a Fundamental Duty (Order dt.: 10 Sep 2012)
- 4.2.2. Decentralised Waste Management (Order dt.: 22 Nov 2012)
- 4.2.3. Allocation and allotment of land for solid waste management by BDA (Order dt.: 8 Jan 2013)
- 4.2.4. Ward Committees (Order dt.: 8 Jan 2013, 10 Jan 2013)
- 4.2.5. Comprehensive order on Duties of Waste Generators and Collection of Solid Waste and other points (Order dt.: 17 Dec 2015)
- 4.2.6. Comprehensive Overview of requirements for effective waste management (Order dt.: 23 June 2016)

# **4.2.1. SEGREGATION AT SOURCE A FUNDAMENTAL DUTY (ORDER DT.: 10 SEP 2012)**

#### **4.2.1. SEGREGATION AT SOURCE A FUNDAMENTAL DUTY (ORDER DT.: 10 SEP 2012)**

##### Highlights:

1. Every Citizen needs to be reminded that he/she has Fundamental Duties as contained in Part IV-A of the Constitution of India and in this regard , to keep the Environment clean by ensuring that waste is segregated in each household so as to enable the Corporation to collect the same for further treatment or disposal as the case may be.

2. Appointment of Executive Magistrates invested with powers under Sec 20 and 21 of the Cr. P.C. w.r.t powers under Sec 431 for the Karnataka Municipal Corporations Act, 1976 for imposition of fines on households which are failing to segregate garbage into dry and wet garbage. At present, we are informed that the fine is Rs. 10/- only, which we think may not be sufficient to prevent violation of segregation norms. The powers could be invested either with the Health Inspector or the Environmental Engineer in each ward.

# High Court of Karnataka

Daily Orders of the Case Number: WP 24739/2012 for the date of order 10/09/2012

**Honble Justice VIKRAMAJIT SEN (CJ) AND B.V.NAGARATHNA**

**10/09/2012**

**Order in WP 24739/2012**

**Present: Sri. Ajesh Kumar S., for M/s.DSK Legal**

**Adv. for petitioner**

**Sri. K.N.Puttegowda, Adv. R-2.**

**Sri. R.G.Kolle, AGA and Sri. R.Devdas, AGA**

**for respondent No.1**

**Sri. Anyan Joseph, Adv. for Sri. Kalyan**

**Basavaraj, ASG for R22**

**Sri. Subramanya R. Adv. for M/s.Ashok**

**Harannahalli Assts., for R-2**

**Smt. G.Lakshmi, Adv. for Sri.M.N.Ramanjeneya**

**Gowda, Adv. for R3**

**Sri. S.Raju, Adv. for R4**

**The Corporation shall appraise the Court of the steps taken on the following points before the next date of hearing:**

**i) Appointment of Executive Magistrates invested with powers under Sections 20 and 21 of the Cr.P.C. with respect to powers under Section 431 of the Karnataka Municipal Corporations Act, 1976 for imposition of fines on households which are failing to segregate garbage into dry and wet garbage. At present, we are informed that the fine is Rs.10/- only, which we think may not be sufficient to prevent violation of segregation norms. The powers could be invested either with the Health Inspector or the Environmental Engineer in each ward.**

**ii) After collection from each household, the segregated waste shall be further collected at three places in every ward and the particulars of which shall be made available.**

**iii) The Corporation undertakes to remove the garbage/waste presently to the landfills, which have been identified for the purpose.**

**iv) There can be no gainsaying that the landfills are not a permanent solution. The Corporation has already initiated steps for the award of contracts to commercial entities desirous of converting the garbage/waste into energy, so that the requirement of landfill areas will eventually be made superfluous. Details of contracts awarded, or in the process of being award, shall be disclosed in writing.**

v) The matter requires urgent decision. The Corporation as well as the State Government should, therefore, take expeditious steps in regard to item No. (iv) above. Exceptions available under the Transparency Act should be employed by the Government.

vi) Every citizen needs to be reminded that he/she has Fundamental Duties as contained in Part IV-A of the Constitution of India and in this regard, to keep the environment clean by ensuring that waste is segregated in each household so as to enable the Corporation to collect the same for further treatment or disposal as the case may be.

Copy of this order shall be made available to those who are desirous of taking it and in particular, shall be made available to the learned counsel on both sides with the signature of the Court Officer.  
Re-notify on 20.09.2012 along with W.P.No.30450/2012.

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## **4.2.2. DECENTRALISED WASTE MANAGEMENT**

**(ORDER DT.: 22 NOV 2012)**

#### **4.2.2.DECENTRALISED WASTE MANAGEMENT (ORDER DT.: 22 NOV 2012)**

##### Highlights:

1. The State Affidavit filed , contains details of several other locations which are being considered for the purpose of establishing Waste Management Units in Bangalore Urban District. It is agreed by all concerned, that merely receiving MSW is not a permanent solution and that the ideal situation would be for processing the MSW by establishing plants for receiving and processing the MSW. So steps shall be taken in right earnest so that the Waste management Units could be set up at the earliest. The Authorities concerned to co ordinate with each other in this regard.

2. The BBMP states that Segregation and Wet waste processing stations shall be located and made operational in the 28 Assembly Constituencies within two months from today.

3. BBMP shall seek the assistance of NGOs or other private agencies for segregation of waste and disposal of dry waste while wet waste has to be transported to the composting sites identified by BBMP. We see this as the first step to be followed immediately by similar Segregation and Wet waste Processing Stations in each of the 198 wards in Bangalore. This exercise to be completed within 4 months from today.

4. Ideally every should have at least 3 such stations in each ward. We think that Decentralization in the system of MSW management would lend efficacy and prevent bottlenecks impacting the entire City at a given point in time.

## **High Court of Karnataka**

**Daily Orders of the Case Number: WP 24739/2012 for the date of order 22/11/2012**

**Honble Justice VIKRAMAJIT SEN (CJ) AND B.V.NAGARATHNA**

**22/11/2012**

**Order in WP 24739/2012**

**Present : In W.P.Nos.24739-49/2012**

**Sri Ajesh Kumar S., Adv. For M/s.DSK Legal, for Petitioners**

**Sri S.Vijayashankar, Advocate General a/w**

**Sri R.Devdas, AGA, for R.1**

**Sri K.N.Puttegowda, Adv. for R.2**

**Sri M.N.Ramanjaneya Gowda, Adv. for R.3**

**Sri Gururaj Joshi, Adv. & Sri D.Nagaraj, Adv. for R.21**

**Sri G.S.Kannur, Adv. for R.23**

**Sri V.Lakshminarayan, Adv. for Current Contractors**

**In W.P.No.30450/2012**

**Sri G.R.Mohan, Adv. Party-inperson**

**Sri S.Vijayashankar, Advocate General a/w**

**Sri R.Devdas, AGA for R.1**

**Sri K.N.Puttegowda, Adv. for R.2**

**Sri G.S.Kannur, Adv. for R.3**

**Smt.Gayathri Balu, Adv. for M/s.Khaitan & Co., for R.4**

**Learned Advocate General who appears states that Government land in Sy.No.31 in Chikkanagamangala village ad measuring 94.35 Acres, within Sarjapur Hobli, has been identified for immediate reception of Municipal Solid Waste (hereinafter, referred to as MSW). It is stated that approximately, 4,500 to 5,000 tonnes of MSW is generated in the Metropolis per day. Sy.No.31 therefore, will be able to receive solid waste for a considerable length of time, thereby, relieving the immediate pressure for land to receive MSW.**

**B.B.M.P. to issue directions to all Contractors to transport the segregated waste to the said land.**

**Mr.V.Lakshminarayan, learned Advocate who appears on behalf of the existing Contractors in other writ petitions and who is present in Court submits that if such instructions are issued by the B.B.M.P., the Contractors would abide by the same and transport the segregated waste to the said land.**

**We direct that atleast seven more lands be identified and made ready for receiving MSW in the next fortnight. Learned counsel for the Pollution Control Board states that they shall immediately carryout joint inspection within three days of receiving intimation with the objective of granting the Board's clearance.**

**We however, observe that landfills is only a temporary solution and that long term measures have to be initiated by all concerned Authorities as a permanent solution for disposal of garbage from Bangalore.**

**It is also submitted that in addition thereto, Annexure □R-2□ of the Affidavit filed on behalf of the State contains details of several other locations which are being considered for the purpose of establishing Waste Management Units in Bangalore Urban District. It is agreed by all concerned, that merely receiving MSW is not a permanent solution and that the ideal situation would be for processing the MSW by establishing Plants for receiving and processing the MSW. So far as the table annexed to Annexure □R-2□ is concerned, further steps shall be taken in right earnest so that the Waste Management Units could be set up at the earliest. The Authorities concerned to co-ordinate with each other in this regard.**

**For the present, wet waste shall be collected from households and transported directly to Chikkanagamangala village. Dry waste shall be collected twice a week from households and shall be transported to Mandur. The State Government has taken a decision to maintain a buffer zone of atleast one k.m. on all landfill Sites. This shall be immediately implemented so far as Mandur is concerned.**

**Mr.V.Lakshminarayan, learned Advocate who appears for the current contractors states that segregated waste, which are wet and dry waste, shall be separately carried in the vehicles for dumping in the two Sites mentioned by us above.**

**So far as the Action Taken Report filed by the B.B.M.P. is concerned, it is stated that Segregation and Wet Waste Processing Stations shall be located and made operational in the 28 Assembly Constituencies within two months from today. B.B.M.P. may seek the assistance of N.G.Os or other private agencies for segregation of waste and disposal of the dry waste while wet waste has to be transported to composting sites identified by the B.B.M.P. We see this as the first step to be followed immediately by similar Segregation and Wet Waste Processing Stations, in each of the 198 Wards in Bangalore. Ideally, every ward should have atleast three Segregation and Wet Waste Processing Stations. As far as locating and making Segregation and Wet Waste Processing Stations, in each of the 198 Wards is concerned, this exercise be completed within four months from today. We think that decentralization in the system of MSW management would lend efficacy and prevent bottlenecks impacting the entire city at a given point of time.**

**It is our honest hope that with these steps, the problems that every resident of Bangalore is facing so far as the collection of MSW in various parts of Bangalore, shall be eradicated atleast to some extent temporarily.**

**The Affidavit of the Prl. Secretary to Government, Urban Development Department, further states that requisite steps shall be taken on an emergent basis to carryout amendment vis-à-vis the levy of fine on failure of segregation of garbage by the householders or bulk generators by carrying**

amendments to Section 431 of the Karnataka Municipal Corporations Act, 1976 and placing it in the Legislature Session commencing on 05/12/2012. The draft proposals called □Municipal Solid Waste (Prohibition of Littering and Regulation, Storage, Delivery and Collection) Rules, 2012□, shall be resubmitted by the B.B.M.P. with modifications within ten days from today.

Keeping the urgent nature of the problem in perspective, learned Advocate General states that the Hon□ble Chief Minister as the Minister in-charge, has passed an Order pursuant to which, Government Order No.UDD 793 MNY 2012, Bangalore, dated 21/11/2012 has been issued. Mr.V.Lakshminarayan, submitted that the Hon□ble Chief Minister does not have the power to pass the said order. This question does not directly arise in the present proceedings and shall be left open to be considered as and when it becomes necessary and relevant.

The Karnataka Compost Development Corporation Limited has in its letter dated 17/11/2012 has mentioned that out of 9,65,363 tonnes of garbage received, the said Corporation has processed 8 lakh tonnes leaving a balance of 1,65,000 tonnes, the processing of which, is in progress at the rate of 200 tonnes per day. Despite this accumulation, it has expressed its willingness to accept 75 to 100 tonnes per day, of segregated wet waste on certain conditions, mentioned in the said letter. We expect the B.B.M.P. to respond to the letter with the urgency that it deserves.

We expect that the State Government shall also respond to the requirements of the Karnataka Compost Development Corporation Limited, as expressed in the aforementioned letter dated 17/11/2012, at paragraph 7 in particular. This arrangement is between the B.B.M.P. and the Karnataka Compost Development Corporation Limited, as well as the State Government.

Learned Advocate General further submits that the Government is actively considering proposals received from various parties, including Foreign concerns, who have considerable experience in the complete disposal of MSW.

A Status Report be filed by the State Government as well as the B.B.M.P. within two weeks from today with reference to the afore mentioned aspects.

List on 06-12-2012 for further consideration.

A copy of this order be made available to all the concerned parties, with the seal and signature of the Court Officer attached to this Court.

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## **4.2.3. ALLOCATION & ALLOTMENT OF LAND FOR SOLID WASTE MANAGEMENT BY BDA (ORDER DT.: 8 JAN 2013)**

### **4.2.3.ALLOCATION & ALLOTMENT OF LAND FOR SOLID WASTE MANAGEMENT BY BDA (ORDER DT.: 8 JAN 2013)**

#### Highlights:

1. The BDA has also placed on record their statement. They have stated that in the Revised Master Plan 2015, areas are reserved and earmarked for public utilities, such as power, water, garbage facility, treatment plants , in addition to other public utilities.

2. The Government exercising power conferred under sub clause (vi) of clause (bb) of Sec 2 of the BDA act 1976, notified areas for 'dumping city garbage', as a civic amenity.

3. They have also produced an extract showing lands identified and reserved for public utilities which includes power, water , garbage facility, treatment plant in the Master Plan 2015, approved by the Government on 25.6.2007 Hobli/ Village wise. They have produced an extract showing the civic amenity site available for allotment at different divisions such as South, North, East and West Division. However CA site no. 5 situated at Banashankari VI stage, V Block measuring an extent of 39,086 sq mtrs has been allotted to BBMP vide allotment dated 15.1.2009.

4. They state that the BBMP can make use of the sites as Landfill site whenever needed. In view of the said offer made by the BDA, now it is upto the BBMP to take decision in respect of all those sites which the BDA has

earmarked for garbage facility and utilize the same if necessary Ward wise or Division wise within the city.

5. From the aforesaid statement, it is clear that few private layouts have been sanctioned. The BDA is going to insist for setting apart land for garbage facility/treatment plant, but insofar as layouts for which already sanctions have been accorded, such a reservation is made.

6. In view of the amendment to the BDA act as set out above, the Civic amenity includes areas for dumping city garbage. While dealing with Civic amenity sites, BDA shall reserve land earmarked for Civic Amenity for the purpose of garbage facility /treatment plant . Thereafter, transfer the same to the Corporation for its maintenance. It would also solve the problem in respect of those layouts for which sanction has already been accorded, but yet to be completed. Under any ( read No) circumstance, the BDA shall permit those Civil Amenity Sites for the purpose other than garbage facilities / treatment plant.

# High Court of Karnataka

Daily Orders of the Case Number: WP 24739/2012 for the date of order 08/01/2013

**Honble Justice N.KUMAR AND B.V.NAGARATHNA**

**08/01/2013**

**Order in WP 24739/2012**

**NKJ & BVNJ:**

**8.1.2013 W.P.Nos. 24739-40/2012**

**46523/2012, 30450/2012,**

**46601/2012**

**By the Constitution 74th amendment, Part IXA was inserted in the Constitution of India which came into effect from 1.6.1993. By this Constitution amendment what is sought to be achieved is decentralization and devolution of power. Article 243S deals with Constitution and composition of Wards Committees, etc., It reads as under : -**

**□. 243S. Constitution and composition of wards Committees, etc.**

**(1) There shall be constituted Wards Committees, consisting of one or more Wards, within the territorial area of a Municipality having a population of three lakhs or more.**

**(2) The Legislature of a State may, by law, make provision with respect to**

**(a) the composition and the territorial area of a Wards Committee;**

**(b) the manner in which the seats in a Wards Committee shall be filled**

**(3) A member of a Municipality representing a ward within the territorial area of the Wards Committee shall be a member of that Committee**

**(4) Where a Wards Committee consists of**

**(a) one ward, the member representing that ward in the Municipality; or**

**(b) two or more wards, one of the members representing such wards in the Municipality elected by the members of the Wards Committee, shall be the Chairperson of that Committee**

**(5) Nothing in this article shall be deemed to prevent the Legislature of a State from making any provision for the Constitution of Committees in addition to the Wards Committees**

**2. Giving effect to the said Constitutional mandate, by Act No. 35/1994, the Karnataka Legislature inserted by way of amendment, Section 13A in the Karnataka Municipal Corporations Act, 1976 (for short hereinafter referred to as □the Act□) providing for Wards Committee. The said provision**

reads as under : -

**□13-A. Wards Committee.-**

**(1) Where the population of a city is three lakhs or more there shall be constituted Wards Committee consisting of one or more wards within the territorial area of the Corporation.**

**(2) Each Wards Committee shall consist of.-**

**(a) the Councillors of the Corporation representing the wards in the Corporation; and**

**(b) not more than five persons having knowledge and experience in municipal administration, nominated by the Government:**

**Provided that a person shall not be qualified for being nominated and for being a member of the Wards Committee, if under the provision of this Act or any other law for the time being in force, he is not qualified for being elected as and for being a councilor;**

**(c) not more than two members nominated by the Government from such non-Government organizations and community based organizations working within the area of the Wards Committee, as the Government may specify in this behalf.**

**(3) The term of office of the members of the Wards Committees shall be co-extensive with the term of office of the Councillors of the Corporation.**

**(4) Where a Wards Committee consists of two or more wards, one of the members of the Wards Committee representing a ward in the Corporation shall be elected to be the Chairman of the Wards Committee in such manner as may be prescribed.**

**(5) The Chairman of the Wards Committee shall vacate the office as soon as he ceases to be a Councillor.**

**(6) In the event of the office of the Chairman falling vacant before the expiry of its term, the Wards Committee shall elect a new Chairman;**

**Provided that a Chairman so elected shall hold office so long only as the Chairman in whose place he is elected would have held the office if such vacancy had not occurred.**

**(7) The functions and duties of a Wards Committee and the procedure to be adopted by a Wards Committee for the transaction of its business shall be such as may be prescribed.**

**3. A reading of the aforesaid provision makes it clear that, it is obligatory on the part of the State to constitute Wards Committee within the territorial area of the Corporation. The Councilors of the area representing the wards is a member of such Wards Committee. However, the Government is vested with the power to appoint nominees not more than 5 persons having knowledge and experience in Municipal Administration in such Wards Committee. Similarly, not more than 2 members nominated by the Government from such non-Government organizations and community based organizations working within the area of the Wards Committee shall be nominated. The functions and duties of the Wards Committee and the procedure to be adopted by a Wards Committee for the transaction of its business have to be prescribed under the Act. It is unfortunate that even after three years of the constitution of the present Corporation, the Government has not taken any steps to nominate the persons as aforesaid. It is a clear case of total inaction. Probably that is the reason why the Bangalore city is suffering. This problem of garbage is because of the inaction on the part of the Government. If persons with experience in Municipal Administration and persons having similar experience and who are working in non-Governmental organizations and community based organizations were made members of this Wards Committee, probably they could have sorted out this problem and avoided the Bangalore city getting the name of garbage city. Whatever order this Court passes in public interest to sort out the problem of this menace of garbage, unless at the ground level those orders are implemented, proper, prompt, honest step is taken, it is not possible to solve this problem. Therefore, it is of utmost importance that Wards Committee should be constituted at the earliest so that the Councilors who would be the members of such Wards could be held personally liable for any future mismanagement of this garbage clearance. By virtue of such elected office he would be the Chairman of the Wards Committee. It is alleged that not only in this case, in the connected matter which this Court is hearing where there is a challenge to the tender notification, the persons who are at present working as contractors for over a period are all nominees of the Corporators. Similarly, the persons who have bagged the recent contracts are also the nominees of the Corporators. Even in cases where the Corporation is carrying out its cleaning operations, where private contracts are entered into, they are also the nominees of the Corporators. So, the Corporators' hand is seen in every transaction, but they are not made accountable because no Wards Committee is constituted. It is relevant to point out at this stage, Section 26 of the Act which deals with general disqualification for becoming a Councilor. Sub-Clause (k) of Sub-section (1) of Section 26 of the Act says that, a person shall be disqualified for being chosen as and for being a Councilor if, save as hereinafter provided, he has, directly or indirectly, by himself or his partner, any share of interest in any work done by order of the Corporation, or in any contract or employment with or under, or by or on behalf of the Corporation. Similarly, Section 80 of the Act categorically provides that, Councilors have to refrain from taking part in discussion and voting on questions in which they have pecuniary interest. It provides that, no Councilor shall vote on or take part in the discussion of, any question coming up for consideration at a meeting of the Corporation or any Standing Committee, if the question is one in which apart from its general application to the public he has any direct or indirect pecuniary interest by himself, or his partner.**

**4. Therefore, the legislature has consciously made this provision obviously of its experience of how**

these elected members interfere in the running of the Corporation and would have conflict of interest. Therefore, it is of utmost importance to bring it to the notice of the elected representatives that their action as aforesaid would not only lead to their not being able to vote but it may disqualify them from contesting the future election. If the Corporators truly act as representatives of the people, take part actively and honestly in the work of the committee, keep their ward clean, not only they will command respect from the people of that ward they can be assured success in the next elections also. At the same time if they indulge in acts as aforesaid, the people would take care of them. All this is not possible because of the non-constitution of the Wards Committee. Though the Parliament amended by inserting the provision, the provision is in the book, it is not implemented in its true spirit and thus the Constitutional mandate is successfully negated by the State for almost two decades. Probably that is the reason why the Court is also finding it difficult to make any further progress in this public interest petition in granting real relief to the public who are eagerly waiting and looking at this Court. Therefore, the first thing to be done is, the Wards Committee is to be constituted.

5. The learned Government Advocate submits that, as there was no request from the Corporation, the Government has not nominated the members. If any such request were to be made, certainly the Government would immediately make such nomination. Section 13A do not contemplate any such request from the Corporation to nominate the members. It provides for the constitution of the committee. By virtue of the elected representatives of Wards, the Councilor would be the member of the committee and he also would be the Chairman of the said committee. Other members as stipulated in the aforesaid provision are to be nominated by the Government. The moment the Government nominates them, the committee comes into existence and they have to perform their duties as contemplated under the Act. Therefore, he submits if 15 days time is granted, this nomination process would be completed and the Wards committee can commence their work earnestly in terms of the Act and the Rules.

6. Call this case on 21.1.2013 to report compliance in so far as nomination of the members of the Wards Committees to all the 198 Wards of Bruhat Bangalore Mahanagara Palike.

7. The petitioner in W.P. Nos. 24739-40/2012 has filed an IA enclosing the extract of the report by the Comptroller and Auditor General for the year 2010-2011. Dealing with the road and drain works in Bruhat Bangalore Mahanagara Palike it is stated that, the planning process was undertaken without any proper need-assessment or taking into account the road history. There was no sanctity in the approval of programme of works due to execution of large number of works over and above the budgeted works. There were irregularities in accounting of deposits, mis-utilisation of deposits and irregular discounting of bills, etc., Operational controls were not in place and the tendering process was vitiated, tenders were manipulated, estimates were tampered with and funds were siphoned off. Works were executed to benefit the contractors resulting in doubtful, wasteful, irregular and avoidable works. Monitoring and internal control mechanism were absent at all levels. Unfortunately, the counsel for the petitioner has not produced the entire report. He has produced

only few pages. It is not possible to get comprehensive idea of what is said in the said report. In fact, in the end the recommendation is made stating as under : -

- (a) Accountability needs to be fixed on the authorities responsible for vitiating the tendering system.
- (b) Pre-audit should strictly be enforced to curtail manipulations in estimates and execution.
- (c) Accountability mechanism needs to be strengthened to avoid issue of work orders before entering into agreements with the contractors.
- (d) Recovery should be effected from officials responsible for faulty works execution.
- (e) Monitoring at all levels needs to be strengthened.

8. If the aforesaid facts are true, then it is not surprising that this garbage problem is one such problem arisen out of such mis-management. Therefore, the Corporation is directed to place on record the said entire report as well as what action has been taken as per the recommendations in the said report.

9. This Court by order dated 6.11.2012 directed the Karnataka Compost Development Corporation to file a status report within one week from the date of the order. Sri Devdas, learned AGA, was directed to take notice on behalf of the said Corporation. Managing Director of the said Corporation was directed to be personally present in the Court on the next date of hearing. On 22.11.2012 referring to the letter of the said Corporation dated 17.11.2012 wherein they had mentioned that, out of 9,65,363 tonnes of garbage received, the said Corporation has processed 8,00,000 tonnes leaving a balance of 1,65,000 tonnes, the processing of which, is in progress at the rate of 200 tonnes per day. Further, it is recorded in the said order that despite this accumulation, it has expressed its willingness to accept 75 to 100 tonnes per day of segregated wet waste on certain conditions mentioned in the said letter. Therefore, this Court expressed the hope that BBMP would respond to their letter with the urgency that it deserves. Further it was also observed that, the State Government would respond to the requirements of the Karnataka Compost Development Corporation Limited as expressed in their letter. Thereafter, we have not heard anything in the matter. In this context it is necessary to direct the Managing Director of the said Corporation to be present in Court on the next date of hearing, i.e., 21.1.2013 to report to the Court what action has been taken, how the Government has responded to the request as well as the Bangalore City Corporation.

10. In the status report filed by the Corporation it is stated that, the Additional Commissioner (Bommanahalli), Chief Conservator of Forest along with Chief Engineer (Lakes) have inspected the Subramanyapura lake on 18.12.2012 and have reported that there is no dumping of garbage. The Bangalore Development Authority has been requested to put adequate security to prevent debris dumping in the tank bed in future. The petitioner in W.P. No. 46523/2012 files a memo along with a photograph. In the memo it is stated that there is dumping of construction material and garbage in the Raja Kaluve leading to the tank. When the said fact was brought to the notice of the Chief Engineer, Raja Kaluve, he assured that he would investigate the matter and appropriate action would be taken. In spite of the assurance, the said activity is continuing even to this day and in the

interim period 3 to 4 acres of the lake, Raja Kaluve and abutting Gomala land appears to have been encroached by the illegal dumping of garbage, construction debris and covering the same with soil.

11. The Commissioner of the Corporation who is present before the Court fairly submitted that, in view of the aforesaid allegations, he would immediately visit the spot and take appropriate action. He submitted if Raja Kaluve is filled with garbage or construction debris, action would be taken to immediately clear the garbage and construction material and also appropriate action will be taken against all concerned if they have misled the Corporation or submitted any false report. He assured the Court that he would submit the report after visiting the spot.

Call on 21.1.2013.

Copy of this order shall be handed to all the concerned counsels/parties.

**(N. KUMAR)**  
**JUDGE**

**(B V NAGARATHNA)**  
**JUDGE**

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## **4.2.4. WARD COMMITTEES**

**(ORDER DT.: 8 JAN 2013, 10 JAN 2013)**

# High Court of Karnataka

Daily Orders of the Case Number: WP 24739/2012 for the date of order 10/01/2013

**Honble Justice N.KUMAR AND B.V.NAGARATHNA**

**10/01/2013**

**Order in WP 24739/2012**

**NKJ & BVNJ:**

**10.1.2013 W.P.Nos. 24739-40/2012**

**46523/2012, 30450/2012,**

**46601/2012**

**ORDER ON □FOR BEING SPOKEN TO□**

By an order dated 8.1.2013, after hearing the learned counsel for the parties, we passed an order directing the Government to constitute Ward Committees in terms of Section 13A of the Act. Before we could sign the said order, the next day it was brought to our notice Section 13A of the Act is substituted by Chapter IIIA by the way of Karnataka Municipal Corporations (Amendment) Act, 2011 which has come into force from 1.8.2011. As the said fact was not brought to our notice the said order came to be passed. Therefore, as the power to constitute Ward Committees by virtue of the said amended provision vests with the Corporation, the order dated 8.1.2013 requires modification. Therefore, this case is listed today for □being spoken to□.

2. The Karnataka Legislature has passed the Karnataka Municipal Corporations (Amendment) Act, 2011 (Karnataka Act No.3/2011) providing for the constitution of Area Sabhas and Ward Committees in the State of Karnataka to institutionalize community participation in municipal functions and to provide for matters connected therewith or incidental thereto. Accordingly, Chapter IIIA dealing with Area Sabhas and Ward Committees is substituted in place of Section 13A. The Government has issued a notification dated 8.6.2011 in exercise of the powers conferred under sub-section (2) of Section 1 of the Karnataka Municipal Corporations (Amendment) Act, 2011 appointing the 1st day of August 2011 as the date on which the said Act shall come into force. Therefore, the Amendment Act has become effective. However, in Chapter IIIA, sub-section (2) of Section 13A states that the provisions of this Chapter shall apply to such of the Corporations as may be notified by the State Government. In the absence of such notification, all the Corporations which are governed by the Karnataka Municipal Corporations Act have to discharge their functions in terms of the amended provision, having regard to Article 243S of the Constitution of India.

3. Section 13-H reads as under : -

13H. Composition, territorial area and manner of filling of seats in Ward Committee.-

- (1) There shall be a Ward Committee for each ward in the Corporation.**
- (2) The Ward Committee shall consist of the following, namely:-**
  - (a) the Councillor of the Corporation representing the Ward, shall be the Chairperson of the Ward Committee;**
  - (b) ten other members to be nominated by the Corporation; out of which, there shall be,-**
    - (i) at least two members belonging to the Scheduled Castes and the Scheduled Tribes;**
    - (ii) at least three women members; and**
    - (iii) at least two members representing residents Associations, whatever name called satisfying all conditions mentioned below, namely:-**
      - (a) its registered office shall be located with in the jurisdiction of that ward;**
      - (b) it shall represent majority of residents, or civic groups, or commercial groups or industrial groups;**
      - (c) it shall have been actively engaged in its activities for not less than three years; and**
      - (d) it shall be a registered Association by whatever name called, comprising of individuals who serve in a fiduciary capacity;**
- (3) Any person disqualified from being elected as a Councillor shall not be nominated as member of the Ward Committee.**
- (4) An officer of appropriate rank shall be designated by the Commissioner of the Corporation to act as Secretary for each Ward Committee to provide all administrative assistance to it. All minutes of the proceedings of the meeting of the Ward Committee shall be recorded by the Secretary and a copy of the same shall be forwarded to the Corporation.**
- (5) The Secretary of the Ward Committee shall be the convener of the meeting of the Ward Committee who shall convene the meeting in consultation with Chairperson.**
- (6) The Ward Committee shall meet at least once in a month.**
- (7) Decisions of the Ward Committee shall normally be taken by the majority of the nominated members of the Ward Committee:**

**Provided that the Chairperson may exercise a "veto" over any decision by giving reasons in writing. The decision of the Chairperson shall be final and binding.**
- (8) No act done or proceedings taken under this Act by the Ward Committee shall be invalid merely on the ground of any vacancy in it.**
- (9) The Commissioner or his nominee, shall be entitled to take part in the meetings and deliberations of the Ward Committee. The Chairperson of the Ward Committee may request the representatives of**

concerned departments as special invitees to participate in the meetings.

**(10) The term of the nominated members shall be co-terminus with the term of the office of the Corporation.**

**(11) Notwithstanding anything contained in this Act, the Corporation may in addition to the allotment of funds to various projects in the budget, also allot not less than the prescribed amount towards ward development scheme to each ward which shall be utilised by the ward committee in the manner as may be prescribed.**

**4. Section 13-I which deals with functions of the Ward Committee reads as under : -**

**13I. Functions of the Ward Committee.- (1) The Ward Committee shall discharge the following functions, namely:-**

- (a) prepare and submit Ward Development Scheme to the corporation for allotment of funds;**
- (b) ensure proper utilization of the funds allotted under ward development scheme in the ward.**
- (c) approve the list of beneficiaries for beneficiary oriented schemes of the Corporation submitted by Area Sabhas falling under that ward;**
- (d) scrutinize list of ineligible beneficiaries submitted by the Area Sabhas and submit it to the Corporation;**
- (e) supervise all programmes and schemes being implemented by the Corporation in the ward;**
- (f) ensure timely collection of taxes, fees and other sums due to the Corporation;**
- (g) ensure water supply maintenance in the ward and finalize location of new public taps and public wells;**
- (h) ensure sewerage system maintenance in the ward;**
- (i) ensure proper solid waste management and sanitation work in the ward and finalize location of new public sanitation units;**
- (j) ensure maintenance of street lighting in the ward and finalize location of new street lights;**
- (k) ensure maintenance of parks, open spaces, greening of area in the ward;**
- (l) ensure afforestation, and implementation of rain water harvesting schemes;**
- (m) mobilize voluntary labour and donation by way of goods or money for implementation of Ward Development Scheme and various programmes and schemes of Corporation;**
- (n) inform the Corporation regarding any encroachment of land belonging to the Corporation;**
- (o) perform such other functions as may be assigned to it by the Corporation as per its bye-laws.**

**(2) The procedure to be adopted by the Ward Committee in the transaction of its business shall be as may be prescribed in the rules.**

**5. A reading of the aforesaid two provisions make it clear that, there shall be a Ward Committee for each ward in the Corporation. The said Ward Committee shall consist of the Councilor of the**

Corporation representing the ward who shall be the chairperson of the Ward Committee. Then 10 other members of the ward committee are to be nominated by the Corporation. How these 10 persons should be selected is clearly set out in clause (b) of sub-section (2) of Section 13H. As is clear from Section 13-I it is the duty of the Ward Committee to ensure proper solid waste management and sanitation work in the ward and finalize location of new public sanitation units. Therefore, a greater responsibility is thrust on the Councilors of the Corporation representing the ward and his team of 10 members who are to be nominated by the Corporation. It is in the absence of this committee functioning in each ward, probably the task of removal of garbage which was not a problem for the last 5 decades has assumed gigantic proportions in the last couple of months. Therefore, in order to fix the responsibility on the persons who should ensure proper solid waste management it is necessary to constitute a Ward Committee forthwith. That may ease the problem of this garbage which is haunting the city of Bangalore. For the aforesaid purpose, the Council Secretary shall convene the meeting of the Corporation in consultation with the Mayor and the Commissioner, to consider the agenda of nominating the members of the ward committee by the Corporation in terms of clause (b) of sub-section (2) of Section 13-H of the Act. The said meeting shall be held within 3 days from today and we hope by the next date of hearing, i.e., 21.1.2013 the Ward Committees would be functional and report of that would be submitted to the Court.

6. The Commissioner of the Corporation who is present before the Court submits that the meeting of the Corporation would be convened on Tuesday, 15.1.2013 at 3.00 PM.

**(N. KUMAR)**  
**JUDGE**

**(B V NAGARATHNA)**  
**JUDGE**

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## **4.2.5. COMPREHENSIVE ORDER ON DUTIES OF WASTE GENERATORS & COLLECTION OF SOLID WASTE & OTHER POINTS (ORDER DT.: 17 DEC 2015)**

# High Court of Karnataka

Daily Orders of the Case Number: WP 24739/2012 for the date of order 17/12/2015

**Honble Justice N.KUMAR AND B.V.NAGARATHNA**

**17/12/2015**

**Order in WP 24739/2012**

**W.P.Nos.24739-24740/2012,**

**C/W. W.P.NO.46601/2012**

**30450/2012 & 46523/2012**

These writ petitions are filed in public interest, complaining of inefficient Solid Waste Management by the Bruhat Bengaluru Mahanagara Palike (□BBMP□ for short). We have already issued several directions for proper solid waste management in Bengaluru City. We have been monitoring the same. In the course of this monitoring, we have noticed that the □garbage crisis□ in Bengaluru was caused due to indiscriminate dumping of mixed waste to the landfill with no processing or any treatment of the leachate to prevent ground water contamination and pollution. These writ petitions have brought into open the deep-rooted causes for mishandling of waste, to the fore. Solid waste generation and its improper management is a key environmental, social and a growing economic problem not only at local levels, but also at national and global levels. Globally, waste management is becoming increasingly sophisticated as separate collection and recycling facilities have become the norm and disposal standards have become more rigorous. A new perception namely, waste is a resource has emerged and schemes to effectively manage waste are aplenty. Effective Solid Waste Management systems are necessary to ensure protection of environment and human health. Inefficient solid waste management has a direct bearing on the standard of living of the citizens and public health as well as our environment. The best way of managing waste is not to create waste in the first place. Article 51A (g) of the Constitution imposes a duty on every citizen to uphold preservation of natural environment.

2. In the course of hearing of these petitions, in order to have first hand information of the ground realities, we have made two field visits covering BBMP landfill at Mavallipura, processing plant of Karnataka Compost Development Corporation (KCDC), a Dry Waste Collection Centre (DWCC), a rag pickers□ colony, scrap dealers depot a privately owned and operated landfill and a privately owned and operated biomethanisation unit. We have interacted with various stakeholders-citizens, NGOs, members of Residents Welfare Association doing segregation and processing on site. Although BBMP, in the light of the interim orders passed by this court, has made efforts to set up various systems to manage waste as well as facilities to process the segregated waste, operationalize Dry Waste Collection Centre, the level of segregating waste at source and the percentage of waste being processed being minimal, city is still vulnerable to the problems of improper Municipal Solid Waste Management.

**3. We would like to emphasize at this stage that BBMP alone cannot handle this problem. The co-operation of the citizens, who generate this waste is of paramount importance. Also, the poura karmikas, who collect waste from door-to-door are to be properly educated and trained. Responsibilities have to be fixed on the Corporator of the wards and the members of the ward committee, who are equally responsible for proper Municipal Solid Waste Management. Similarly, the role of Palike officials at the ground level cannot be underestimated. On the contrary, greater responsibility should be foisted on them and they should be made accountable for any improper Municipal Solid Waste Management. In other words, it should be a co-ordinated and collective effort on the part of each one of the stake holders. It is only then, this problem could be tackled effectively. Therefore, in order to achieve this object, we propose to issue certain directions to all the concerned in conformity with the Municipal Solid Waste Management Rules, so that if the law is obeyed and implemented the ultimate object of the law would be achieved.**

**4. The first and foremost aspect is as follows:**

**1) Duties of Waste Generators: Every person or group of persons, or residential and commercial establishments, including Indian Railways and Defence cantonments and others, who or which generate solid waste have to follow the below mentioned duties:**

**(a) No waste generator shall throw the waste generated by him/her on the street, open spaces, drains or water bodies;**

**(b) Every waste generator shall segregate and store the waste generated in three separate way, namely,**

**(i) bio-degradable or wet waste;**

**(ii) non-bio-degradable or dry waste and**

**(iii) domestic hazardous wastes including sanitary waste**

**in separate and suitable bins. For that purpose, they shall adopt**

**□ two bins and one bag system □.**

**(iv) In this system, they should use a GREEN COLOURED bin to store organic waste or wet waste such as,**

**kitchen waste: vegetable, fruit peels, cooked food, leftovers, egg shells, chicken/fish bones, rotten fruits/ vegetables, tissue paper soiled with food, tea bags, coffee grinds, leaf plates etc.**

**Garden waste: Small quantity of garden waste such as fallen leaves, twigs, puja flowers, garlands.**

**It is made clear that they shall not use a plastic liner or plastic bag in the said bin to store these wastes. The said bin would be a green coloured bin for the purpose of identification.**

**(v) A red coloured bin should be used for storing (domestic hazardous waste) such as sanitary waste like diapers, sanitary napkins, bandages, condoms, nails, used tissues, medicines, razors, blades, used syringes, injection vials. Again, they shall not use a plastic liner or plastic bag in the said bin. Insofar as the broken glass is concerned, they could use a newspaper for wrapping the same. Also all wet sanitary waste must be wrapped in paper.**

**(vi) A bag for dry waste, such as plastic covers, bottles, boxes, items chips, toffee wrappers, plastic cups, milk/curd packets, newspapers, magazines, stationery, junk mail, cardboard cartons, pizza boxes, tetrapaks, paper cups and plates, foil containers, metal cans, unbroken glass bottles, rubber, thermocol, old mops, dusters, sponges, cosmetics, ceramics, wooden chips, hair, coconut shells, batteries, CDs, tapes, thermometers, bulbs, tube lights, CFLs etc., must be used. Preferably re-usable bags after disposal of dry waste must be used.**

**(c) Every day, at a particular time, the waste generator shall handover segregated waste to waste collectors, who are employed either by the BBMP or by the contractors, who are working for BBMP or other private collectors such as vendors empowered by BBMP or such other persons.**

**(d) Insofar as bulk generators are concerned, they shall store the solid waste in two bins and one bag system, preferably of a size, which could be handled by a single individual without any assistance from any one else;**

**(e) The commercial establishments shall also adopt two bins and one bag system for disposal of the waste generated in their premises.**

**(f) It is necessary to point out that the system of two bins and one bag shall also be followed by all the Governmental, semi-Governmental-Central and State Government authorities, private companies, non-governmental organizations, apartments, gated communities, hotels, restaurants, choultries and other instrumentalities of the State, educational institutions, malls, shops, clubs and places of religious worship, in short, every kind of bulk generator as well as private citizens.**

**(2) Collection of solid waste:**

**(a) BBMP either by itself or through contractors should organize door-to-door collection of segregated bio-degradable or wet waste and non-bio-degradable or dry solid wastes on a daily basis at pre-informed timings from all residential and non-residential premises, including slums using motorized vehicles or containerized tricycles, handcarts or any other device, which is suitable for collection of segregated waste without necessitating deposition of waste on the ground and multiple handling of waste.**

**(b) Bio-degradable wastes from fruits and vegetable markets, meat and fish markets, horticultural waste from parks and gardens shall be collected separately and such market waste should be processed or treated within the market area and horticultural waste should be processed within parks and gardens to make optimum use of such wastes and minimize the cost of collection and transportation of such waste, by establishing composting facilities within the park.**

**(c) Segregated solid waste collected from the door step shall, as far as practicable, be transported directly to the respective waste processing facility having facility of sorting and recovery of recyclable waste. The authority should ensure that after the segregated solid waste is collected from the door step, under no circumstance, it is mixed and transported as mixed waste to a land fill. They shall not only be collected in segregated form but also transported to and processed in the same form in, the**

processing facility. Only in an exceptional situation the segregated waste collected from the door step shall be taken to a waste storage places for secondary storage of waste. This is only in an exception and not a rule.

(d) Waste collected from the door step in motorized vehicles shall be directly transported to the processing facility through material recovery facility to be set up at the waste processing site or to the transfer station or transfer point or waste storage depots for facilitating, sorting and bulk transfer of waste to the processing facility in large hauling vehicles or containers.

(e) Vehicles used for transportation of wastes shall be covered and shall have a facility to prevent waste spillage and leachate dropping from the vehicles on the ground en-route to the processing or disposal facility.

(f) Waste shall not be visible to public nor exposed to open environment.

(g) Waste storage at the secondary waste storage depots in exceptional circumstances shall be stored in covered bins or containers, shall be attended daily and at any rate waste shall be picked up before the container start overflowing.

(h) Transportation vehicles shall be covered and so designed that multiple handling of wastes, prior to final disposal is avoided.

(i) Waste depots shall have covered containers for separate storage of bio-degradable or wet waste and non-bio-degradable or dry waste collected from the door step.

(j) The street sweepings and silt collected from the surface drains shall not be left or accumulated on roadsides and shall be transported directly to waste disposal facility or shall be temporarily stored in covered bins or containers kept separately for secondary storage of inert wastes at suitable locations for facilitating onward transportation of such waste to the disposal site. If the street sweepings contain bio-degradable or re-cycleable waste, such waste shall be segregated and sent to respective processing facility.

(k) In order to see that the waste generators obey the said procedure, BBMP shall create public awareness on;

(1) reducing generation of waste,

(2) re-using the waste material to the extent possible,

(3) processing food waste through home

(4) separately stored bio-degradable waste or wet waste and non-bio-degradable waste or dry waste including recycleable waste,

(5) encourage waste pickers to take away the segregated recycleable waste stores,

(6) use newspaper for wrapping pads, condoms, infant/adult diapers, sanitary napkins (menstrual), bandages, condoms, nails, used tissues medicines, swept dust before putting in domestic bins for non-bio-degradable waste;

(7) storing and handing over separately domestic hazards waste such as razors, blades, used syringes injection vials, rubble, paints silt from drains, cement powder, bricks, flower pots, surgical tubes, pesticides cans, used NICD batteries, used needles and syringes, fused tube-lights and bulbs, sharp edged items and healthcare waste;

(8) storing waste separately in separate bins. Citizens to store correct waste at source in separate

**domestic or in particular bins meant for it and handover these wastes separately to waste collectors for recycling, processing and disposal of solid waste.**

**5. These aforesaid directions given by us are in conformity with the Solid Waste Management Rules. Therefore, if there is any act of omission or commission in following these directions, it amounts to violation of the solid waste management rules under the scheme framed thereunder. Hence, it is an offence punishable under Section 431A of the Karnataka Municipal Corporations Act, 1976 and the authorities shall take appropriate action by imposing penalty as prescribed in Schedule XIII to the said Act and recover the same. Due publicity shall also be given about the aforesaid provisions and implement the said provisions in their true spirit.**

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## **4.2.6. COMPREHENSIVE OVERVIEW OF REQUIREMENTS FOR EFFECTIVE WASTE MANAGEMENT**

**(ORDER DT.: 23 JUNE 2016)**

## **High Court of Karnataka**

Daily Orders of the Case Number: WP 24739/2012 for the date of order 23/06/2016

**Honble Justice N.KUMAR AND B.V.NAGARATHNA**

**23/06/2016**

**Order in WP 24739/2012**

**NKJ & BVNJ:**

**23.06.2016**

**WP Nos. 24739-24740/2012 (LB-RES)**

**C/W**

**W.P. NOS. 46601/2012, 30450/2012, 46523/2012**

**CCC NO.1641-1650/2013, W.P.NOS.36058-517/2013, 48595/2013, 18167-18168/2014 55575/2014 AND 54409/2015**

**ORDER**

**By order dated 17.12.2015, we had issued several directions for waste management. Today, the Commissioner of BBMP as well as the Special Commissioner of the BBMP are present. They submit that effective steps have been taken to effectuate the said directions and they have been substantially complied with. Today, they placed on record a report stating about their Extensive IEC (Information, Education and communication) programmes in order to promote three way segregation of waste at source, which are being conducted through electronic and print media.**

**They have also initiated various programmes for educating and creating awareness among the citizens. In this regard, Master Trainers have been identified and they have been trained on various aspects of solid waste management. These master trainers are imparting training to the Suchimithras, Resident Welfare Associations (RWAs) and Pourakarmikas. Such training programmes are being conducted. They have also placed on record, a copy of the list of Master Trainers identified, office order with regard to training by Master trainers and also schedule for training Suchimithras is enclosed as Annexure-A.**

**Various circulars and public notices have been issued to ensure proper waste management practices are implemented like segregation, domestic hazardous waste collection and processing (experimentally it has been initiated in all zones), black spot eradication by providing litter bins, scientific bin system and CCTV monitoring etc.,**

**They are also enforcing the Notification pertaining to plastic ban. Also, they have collected about Rs.52 Lakhs by way of fine imposed for violation of the same. Similarly, steps have been taken to prosecute offenders under Section 431A of the Karnataka Municipal Corporation Act, 1976 as**

prescribed in Schedule XIII and a sum of Rs.62 Lakhs has been collected as penalties from waste Generators. Efforts are also made to channelize bulk generator waste to approved agencies like Noble Exchange and other authorized vendors by involving stake holders like Hotel associations, apartment complexes etc., They have also taken steps to establish transfer stations, strengthening the infrastructure of decentralized waste management by augmenting DWCC, biomethanisation plants, organic waste convertors, shredders. To enhance in-house solid waste managing capacity, BBMP is also procuring additional compactors, auto tippers mechanical sweeping machines. Senior officers have been appointed as Nodal Officers Ward wise to monitor Suchimithras and other activities.

In this back ground we have heard the learned counsel appearing for the respective parties and also the persons representing NGOS.

One thing that now emerges is that the citizens of Bengaluru are taking keen interest in participating in all the programmes of the BBMP in so far as segregating solid waste is concerned. Probably, if the BBMP were to duly publish their efforts through the master trainers, many more public-spirited citizens of Bengaluru may come forward and cooperate with BBMP in undertaking the mammoth job. Therefore, it cannot be said that the public is not cooperating in this endeavor. It is for BBMP to utilize their support, give them due respect and see that they are trained in this uphill task of keeping Bengaluru clean. We are sure, a right move on the part of the Corporation would encourage many more public-spirited people to join hands with BBMP to cooperate in all their activities, in so far as segregation of waste and its management are concerned.

A suggestion made from the NGOs is that in most of the 198 wards of Bengaluru City, Dry Waste Collection Centers are established and they are functioning satisfactorily. If the Corporation provides the necessary infrastructure to them they would be willing to collect from door-to-door dry waste, which is within their wards. This exercise not only helps in collecting dry waste but also reduces the burden of transportation of waste by other agencies including BBMP. This would also ensure segregation of waste in the house holds.

The suggestion is worth considering and the Commissioner, BBMP and the Special Commissioner who are present before the Court submit that they would consider the said proposal and if found viable, certainly, they would extend all help as required to enable these dry waste Collection Centers to collect dry waste from households within each ward.

The Commissioner of the Corporation who has recently taken charge of his office has a few proposals to make. One such proposal which he is considering is being implemented by Mumbai Municipal Corporation i.e., regarding appointment of □Clean-up Marshalls□ to each ward in 2 or 3 in number. If retired Ex-Servicemen are appointed, with an identity authorizing them to identify and penalize the violators of the MSW Rules and the directions issued by this court from time to time, that would, in the long run, help in not only educating the public about their duties, reducing the violations of these rules to a minimum. This suggestion is also worth considering and we are sure, the

Commissioner would be able to mobilize the men in order to give effect to it at the earliest. The Rules are in place and we have also passed many orders from time to time. Huge sums of money has been invested. So, at the ward level implementation of the Rules, our orders are important. Probably, appointment of □Clean-up Marshals□, would be a step in the right direction having regard to the experience and working of BBMP.

Next, he submitted about orders passed by the authorities regarding abolition of plastic bags, which are in force and that substantially, they have been complied with. Violators are being penalized and in the days to come, probably, we could see Bengaluru without plastic bags. If that happens, probably, segregation of waste will make a headway as plastic bags are presently being used to carry and dump unsegregated waste and it would enable the Corporation to implement our orders meticulously.

It is submitted that there is a good response from the public to the concept of □Two Bins one Bag□. But still it is yet to reach every house hold. We find that BBMP is spending substantial amounts for awareness programmes and advertisements. Probably, a portion of that amount could be earmarked for supply of □Two Bins One Bag□ to certain citizens in the City, who are interested in segregation of waste. Before doing that, by taking the advice of the Expert Committee, they could standardize the □Two Bins one bag□ with a particular, distinctive feature, so that if the general public look at them, they would be able to recognize that they are the bins which are earmarked for segregation of waste. Thereafter, sufficient number of such bins could be distributed ward wise and once this happens, probably manufacturers would take the cue and manufacture the bins as per the aforesaid specification and in the long run, public would be benefited. This experiment is worth undertaking and we direct the Corporation to immediately give effect to these directions.

It is also pointed out on behalf of the NGOs that if citizen of Bengaluru are able to undertake the process of composting of wet waste within their house/compound then, probably, segregation, collection and transportation of solid waste could be solved at the household level itself. They demonstrated before this court, the bin that is utilized for the said purpose, the chemical that is required for composing of wet waste and if it is done inside the house, probably, substantially the problem of disposal of wet waste could be solved. Therefore, they submitted that when the Corporation is insisting on water harvesting system to be put in place in respect of for 60 x 40 feet sites, as well as 30 x 40 feet sites, along with the same, they could insist for in situ, home composting or composting inside the house of wet waste. It is suggested that wet waste generated everyday must be put into a bin and microbes added so that composting will take place in normal course and no smell would emanate. It is convenient, easy to use, non-infectious process and it is not a health hazard also. If the process of composting of wet waste is adopted, this waste could be processed in the house and the question of transporting wet waste to the nearest processing centre, to any nearby village would not arise. We direct the citizens of Bengaluru to adopt the process of disposal of wet waste by composting process in their house holds and not dispose the same on the streets or in any other manner, which would give rise to black spots. In this regard, BBMP shall take interest, educate the

masses and utilize a portion of the funds, which they have set apart for advertising for this purpose, demonstrate the process in each ward in the interest of citizens of Bengaluru city. There are many persons, public spirited organizations, who would be interested in participating in this exercise at their cost, who should be encouraged.

Pursuant to the orders passed by us, Mavallipuram Waste Process Unit started functioning much against the wishes of the local public. We made it very clear that it should be run in a professional manner and they should not cause any further health hazard to the villagers and we also said that it should be only organic waste and mixed waste, which should not be processed. Ramki Infrastructure Limited, who are running the said unit did not perform their functions satisfactorily; their contract was terminated. As a result, BBMP took over the unit and they were running satisfactorily. Now, it appears that the contractor has approached Bangalore City Civil Court by way of an application under Section 9 of the Arbitration Act, in Arbitration Application No.195/2016 in which the Civil Court has passed an order to maintain status-quo. The resultant position is that, waste which is dumped in the yard is not being processed. This gives rise to health hazards. Therefore, it is of utmost importance for the BBMP to move the said Court for vacating the interim order as otherwise, the health of the public of Mavallipuram would be affected. The proceedings are pending before this court. Therefore, we are sure that if these facts are brought to the notice of the civil court, it would take up the matter out of turn and dispose of the matter expeditiously within one month from today positively and send a copy of that order to this court. This court would pass further orders on that aspect of the matter.

After the elections to the Corporation, new Ward Committees have not been constituted. Prima facie, this is a violation of the earlier order of this Court. Therefore, the Corporation shall take immediate steps for constitution of Ward Committees consisting of public spirited persons, who will perform their duties and would not assert only their rights. Then only, the orders passed by this court would be effective.

The Government shall finalize the rules taking into consideration the objections filed by all the interested public and publish at the earliest so that it could be implemented in letter and spirit at the earliest.

**(N.KUMAR)**  
**JUDGE**

**(B.V.NAGARATHNA)**  
**JUDGE**

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## 4.3. GOVERNMENT ORDERS & ACTS

This includes only the key Directives from the High Court of Karnataka in the SWM PIL (WP 24739/2012), for the information of the Ward Committees, as of 10th November 2017. These include the following:

4.3.1. Karnataka Act No. 03 of 2011 (Ward Committees)

4.3.2. Forest, Ecology & Environment Secretariat, Notification: No. FEE 17 EPC 2012, Bangalore, dtd: 11/03/2016 (Plastic Ban)

4.3.3. Government Order: No. UDD 126 TMS 2016 dtd: 7/8/2017 (Direct payment of PKs)

4.3.4. Labour Secretariat, Notification: No. LD 92 LWA 2017, Bengaluru, dtd: 27/10/2017(Direct Employment of PKs)



## **4.3.1. KARNATAKA ACT: NO. 03 OF 2011 (WARD COMMITTEES)**

**KARNATAKA ACT NO. 03 OF 2011**

**THE KARNATAKA MUNICIPAL CORPORATIONS (AMENDMENT) ACT, 2011**

**Arrangement of Sections**

**Sections:**

1. Short title and commencement
2. Insertion of new Chapter IIIA

**STATEMENT OF OBJECTS AND REASONS**

**Amending Act 03 of 2011.-** One of the mandatory reforms to be undertaken by the State Government under the Jawaharlal Nehru National Urban Renewal Mission is to enact a law providing for community participation in the Municipal Corporations having a population exceeding three lakhs. It requires the establishment of a three tier structure of governance at the level of municipal council, ward Committee and area sabha.

The State Government, in the Memorandum of Agreement (MOA) entered into with Government of India has already committed to fulfil this reform, and passed orders dated: 05-10-2007 affirming the same.

Therefore, it is considered necessary to amend the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) to provide for the following:-

- (i) Constitution of Area Sabhas and Ward Committees.
- (ii) Entrusting functions and duties to the Area Sabha and Ward Committees and
- (iii) Institutionalizing citizen participation.

Hence the Bill.

[L.A. Bill No.1 of 2011, File No.Samvyashae 27 Shasana 2010]

[Entry 5 of List II of the Seventh schedule to the constitution of India.]

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**KARNATAKA ACT NO. 03 OF 2011**

(First published in the Karnataka Gazette Extra-ordinary on the fourth day of February, 2011)

**THE KARNATAKA MUNICIPAL CORPORATIONS (AMENDMENT) ACT, 2011**

(Received the assent of the Governor on the First day of February, 2011)

An Act further to amend the Karnataka Municipal Corporations Act, 1976 to provide for the constitution of Area Sabha and Ward Committees in the State of Karnataka to institutionalise community participation in municipal functions and to provide for matters connected therewith or incidental thereto.

Whereas it is expedient further to amend the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) to provide for the constitution of Area Sabha and Ward Committees in the State of Karnataka to institutionalize community participation in municipal functions, and to provide for matters connected therewith or incidental thereto;

Be it enacted by the Karnataka State Legislature in the sixty first year of the Republic of India as follows, namely:-

**1. Short title and commencement.-** (1) This Act may be called the Karnataka Municipal Corporations (Amendment) Act, 2011.

(2) It shall come into force on such date as the State Government, may, by notification, appoint.

**2. Insertion of new Chapter IIIA.-** In the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) for section 13A, the following shall be substituted, namely:-

**“CHAPTER - IIIA**

**Area sabhas and Ward Committees**

**13A. Definitions and application.-** (1) In this Chapter, unless the context otherwise requires,-

- (a) “Area” means an area, determined in the manner specified in section 13B;
- (b) “Area Sabha” means, in relation to an Area, a body of all the persons who are registered as voters in the electoral rolls pertaining to any polling station of that Area;
- (c) “Association” means a trust, society, association or organization registered under Karnataka Societies Registration Act, 1960 and fulfil the conditions specified in sub-clause (iii) of clause (c) of sub-section (2) of section 13H.
- (d) “Polling Station” means Polling station set up for conducting elections to the Corporation;
- (e) “Ward Committee” means a committee constituted under section 13H.
- (f) “Ward Development Scheme” shall be the development scheme prepared by the Ward Committee for the budget allotted to it by the Corporation.

(2) The provisions of this Chapter shall apply to such of the Corporations as may be notified by the State Government.

**13B. Determination of Areas.-** The State Government shall by order determine,-

- (a) the areas into which each Ward may be divided; and
- (b) each area shall comprise the polling area of one or more contiguous polling stations in a ward, but in any case not exceeding total area of five such polling stations:

Provided that polling area of any polling station shall not be divided into two or more areas.

**13C. Constitution of Area Sabha.-** (1) There shall be an Area Sabha for each area.

(2) All persons who are registered as voters in the electoral rolls of the polling stations in an area shall be members of that Area Sabha.

**13D. Representatives of Area Sabha.-** (1) Each area shall have an area sabha representative who shall be nominated by the Corporation on the recommendation of the councilor of the particular ward:

Provided that, if no recommendation is received within ninety days from the date of constitution or reconstitution of the Corporation, the Commissioner shall recommend names to the Corporation for nomination.

(2) If councillor of any ward, for any reason ceases to be the Councillor before the expiry of the term of the Corporation, the Area Sabha Representatives of that ward shall also cease to be Area Sabha Representatives and new Area Sabha Representatives shall be nominated in accordance with sub-section (1).

(3) The Area Sabha Representative shall be a member of that Area Sabha.

(4) Any person disqualified for being elected as a Councillor shall not be nominated as Area Sabha Representative.

**13E. Term of office.-** Except as provided in sub-section (2) of section 13D, the term of office of an Area Sabha Representative shall be co-terminus with that of the Councillor Corporation concerned:

Provided that no person shall continue to be a Area Sabha Representative if, at any time during his tenure, he incurs any of the disqualifications prescribed by or under any law for the time being in force for the purpose of election to the Corporation concerned:

Provided further that no person shall continue or be entitled to hold office as Area Sabha Representative of an Area Sabha of which he ceases to be a member.

**13F. Meeting of the Area Sabha.-** (1) The Area Sabha shall meet at least once in three months. The Area Sabha Representative shall preside over the meeting of the Area Sabha.

(2) An officer of appropriate rank shall be designated by the Commissioner of the Corporation to act as a nodal officer for each Area Sabha and who shall provide all administrative assistance to the Area Sabha Representative in conducting meetings of the Area Sabha. The nodal officer shall be the convener of the Area Sabha meetings and shall convene the meeting in consultation with the Area Sabha Representative. All minutes of the proceedings of the meeting shall be recorded by the nodal officer and a copy of the same shall be forwarded by him to the Ward Committee.

(3) All decisions in the Area Sabha shall be as far as possible be arrived at through a consensus of all the members present. Where consensus is not possible, the decision shall be taken by the majority of the members present.

**13G. Functions and duties of the Area Sabha.-** An Area Sabha may, having regard to its managerial, technical, financial and organizational capacity, and the actual conditions prevailing in the Corporation, perform and discharge the following functions and duties, namely:-

- (1) It shall forward proposals for schemes and development programmes to be implemented in the area, to the Ward Committee, or in its absence to the Corporation, for inclusion in the ward development scheme and programs and schemes implemented by the Corporation.
- (2) It shall select eligible persons from the area for beneficiary oriented schemes of the Corporation and forward the same for approval of the Ward Committee or in its absence, to the Corporation.
- (3) It shall cross verify the eligibility of persons getting various kinds of welfare assistance from Government such as pensions and subsidies and submit list of ineligible beneficiaries, if any, to the Ward Committee or in its absence, to the Corporation.
- (4) It shall support tax mapping and to remind and encourage Area Sabha members of their obligations to pay municipal taxes and user charges.
- (5) It may identify the deficiencies in the water supply and suggest remedial measures.
- (6) It may identify deficiencies in the sanitation arrangements and suggest remedial measures.
- (7) It may identify the deficiencies in the street lighting arrangements and suggest remedial measures.

- (8) It shall impart awareness on matters of public interest such as cleanliness, preservation of the environment and prevention of pollution and parks and such other public amenity schemes in the area.
- (9) It may assist the activities in public health centers in the area, especially in disease prevention and family welfare and create awareness and to report outbreak of epidemics and natural calamities.
- (10) It shall provide and mobilize voluntary labour and contributions in cash and kind for development programmes and to supervise such development works through volunteer organizations.
- (11) It shall promote harmony and unity among various groups of people in the Area and encourage cultural and sports activities;
- (12) It may co-operate with the Ward Committee in discharging of any functions assigned to it. and
- (13) It shall perform such other functions as may be assigned to it by the Corporation in accordance with the bye-laws.

**13H. Composition, territorial area and manner of filling of seats in Ward Committee.**- (1) There shall be a Ward Committee for each ward in the Corporation.

(2) The Ward Committee shall consist of the following, namely:-

- (a) the Councillor of the Corporation representing the Ward, shall be the Chairperson of the Ward Committee;
- (b) **ten other members to be nominated by the Corporation;** out of which, there shall be,-
  - (i) at least two members belonging to the Scheduled Castes and the Scheduled Tribes;
  - (ii) at least three women members; and
  - (iii) at least two members representing residents Associations, whatever name called satisfying all conditions mentioned below, namely:-
    - (a) its registered office shall be located with in the jurisdiction of that ward;
    - (b) it shall represent majority of residents, or civic groups, or commercial groups or industrial groups;
    - (c) it shall have been actively engaged in its activities for not less than three years; and
    - (d) it shall be a registered Association by whatever name called, comprising of individuals who serve in a fiduciary capacity;

(3) Any person disqualified from being elected as a Councillor shall not be nominated as member of the Ward Committee.

(4) An officer of appropriate rank shall be designated by the Commissioner of the Corporation to act as Secretary for each Ward Committee to provide all administrative assistance to it. All minutes of the proceedings of the meeting of the Ward Committee shall be recorded by the Secretary and a copy of the same shall be forwarded to the Corporation.

(5) The Secretary of the Ward Committee shall be the convener of the meeting of the Ward Committee who shall convene the meeting in consultation with Chairperson.

(6) The Ward Committee shall meet at least once in a month.

(7) Decisions of the Ward Committee shall normally be taken by the majority of the nominated members of the Ward Committee:

Provided that the Chairperson may exercise a 'veto' over any decision by giving reasons in writing. The decision of the Chairperson shall be final and binding.

(8) No act done or proceedings taken under this Act by the Ward Committee shall be invalid merely on the ground of any vacancy in it.

(9) The Commissioner or his nominee, shall be entitled to take part in the meetings and deliberations of the Ward Committee. The Chairperson of the Ward Committee may request the representatives of concerned departments as special invitees to participate in the meetings.

(10) The term of the nominated members shall be co-terminus with the term of the office of the Corporation.

(11) Notwithstanding anything contained in this Act, the Corporation may in addition to the allotment of funds to various projects in the budget, also allot not less than the prescribed amount towards ward development scheme to each ward which shall be utilised by the ward committee in the manner as may be prescribed.

**13I. Functions of the Ward Committee.-** (1) The Ward Committee shall discharge the following functions, namely:-

- (a) prepare and submit Ward Development Scheme to the corporation for allotment of funds;
- (b) ensure proper utilization of the funds allotted under ward development scheme in the ward.
- (c) approve the list of beneficiaries for beneficiary oriented schemes of the Corporation submitted by Area Sabhas falling under that ward;
- (d) scrutinize list of ineligible beneficiaries submitted by the Area Sabhas and submit it to the Corporation;
- (e) supervise all programmes and schemes being implemented by the Corporation in the ward;
- (f) ensure timely collection of taxes, fees and other sums due to the Corporation;
- (g) ensure water supply maintenance in the ward and finalize location of new public taps and public wells;
- (h) ensure sewerage system maintenance in the ward;
- (i) ensure proper solid waste management and sanitation work in the ward and finalize location of new public sanitation units;
- (j) ensure maintenance of street lighting in the ward and finalize location of new street lights;
- (k) ensure maintenance of parks, open spaces, greening of area in the ward;
- (l) ensure afforestation, and implementation of rain water harvesting schemes;
- (m) mobilize voluntary labour and donation by way of goods or money for implementation of Ward Development Scheme and various programmes and schemes of Corporation;
- (n) inform the Corporation regarding any encroachment of land belonging to the Corporation;
- (o) perform such other functions as may be assigned to it by the Corporation as per its bye-laws.

(2) The procedure to be adopted by the Ward Committee in the transaction of its business shall be as may be prescribed in the rules.

**13J. Bye-laws.-** Every Corporation to which this Chapter is made applicable shall notify bye-laws for transaction of business and for finance and accounting procedures governing the working of Area Sabhas and Ward Committees, within six months from the date of coming into force of this Chapter in that Corporation.

**13K. Power to make rules.-** Subject to the provisions of this Act, the State Government may, after previous publication, make rules to provide for any matter which is to be or may be prescribed by rules.

**13L. Power to remove difficulties.-** (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, published in the official Gazette make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty.

(2) Every order so made shall be laid as soon as may be after it is made before each House of the State Legislature.”

By Order and in the name of the Governor of Karnataka

**G.K. BOREGOWDA**

Secretary to Government,

Department of Parliamentary Affairs and Legislation



**4.3.2. FOREST, ECOLOGY &  
ENVIRONMENT SECRETARIAT,  
NOTIFICATION: NO. FEE 17 EPC  
2012, BANGALORE, DTD:  
11/03/2016 (PLASTIC BAN)**



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ಬಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ- IVA	ಬೆಂಗಳೂರು, ಶುಕ್ರವಾರ, ಮಾರ್ಚ್ ೧೧, ೨೦೧೬ (ಪುಷ್ಯಣ ೨೧, ಶಕ ವರ್ಷ ೧೯೩೭)	ನಂ. ೩೭೩
Part- IVA	Bengaluru, Friday, March 11, 2016 (Pulhuna 21, Shaka Varsha 1937)	No. 373

ಆರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಕಾಸ್ತ್ರ ಸಚಿವಾಲಯ  
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಅನಜಿ: 17 ಇಪಿಸಿ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 11.03.2016.

ಪ್ಲಾಸ್ಟಿಕ್ ಕ್ಯಾರಿಬ್ಯಾಗ್‌ಗಳು ಹಾಗೂ ದೈನಂದಿನ ಬಳಕೆಯಲ್ಲಿರುವ ಇತರೆ ಪ್ಲಾಸ್ಟಿಕ್ ವಸ್ತುಗಳು ಅಲಾವಧಿ ಹಾಗೂ ದೀರ್ಘಾವಧಿಯಲ್ಲಿ ಪರಿಸರಕ್ಕೆ ಹಾನಿಯನ್ನು ಮತ್ತು ಆರೋಗ್ಯಕ್ಕೆ ಅಪಾಯವನ್ನು ಉಂಟುಮಾಡಲು ಕಾರಣವಾಗಿರುತ್ತದೆ.

ಭಾರತದ ಸಂವಿಧಾನದ ಕಲಂ-48ಎ ಅನ್ವಯ, ಪ್ರತಿ ರಾಜ್ಯ ಸರ್ಕಾರವೂ ಪರಿಸರದ ಮಟ್ಟವನ್ನು ಉತ್ತಮಪಡಿಸುವ ಜವಾಬ್ದಾರಿಯನ್ನು ಹೊಂದಿರುತ್ತದೆ.

ಪ್ಲಾಸ್ಟಿಕ್ ಕ್ಯಾರಿಬ್ಯಾಗ್, ಪ್ಲಾಸ್ಟಿಕ್ ಭಿತ್ತಿಪತ್ರ, ಪ್ಲಾಸ್ಟಿಕ್ ತೋರಣ, ಪ್ಲೆಕ್ಸ್, ಬಾವುಟ, ಪ್ಲಾಸ್ಟಿಕ್ ತಟ್ಟೆ, ಪ್ಲಾಸ್ಟಿಕ್ ಲೋಟ, ಪ್ಲಾಸ್ಟಿಕ್ ಚಮಚಗಳು, ಕ್ಲಿಂಗ್ ಫಿಲ್ಮ್ ಮತ್ತು ಉಟದ ಮೇಜಿನ ಮೇಲೆ ಹರಡುವ ಪ್ಲಾಸ್ಟಿಕ್ ಹಾಳೆಗಳು ಮತ್ತು ಫರ್ಮೋಕೋಲ್‌ನಿಂದ ತಯಾರಾದ ವಸ್ತುಗಳ ವ್ಯಾಪಕ ಬಳಕೆಯಿಂದಾಗಿ ಪರಿಸರಕ್ಕೆ ಹಾನಿ ಹಾಗೂ ಮಾನವ ಮತ್ತಿತರ ಪ್ರಾಣಿಗಳ ಆರೋಗ್ಯಕ್ಕೆ ಅಪಾಯ ಉಂಟಾಗುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರುತ್ತದೆ.

ಪ್ಲಾಸ್ಟಿಕ್ ಪ್ಯಾಚ್‌ಗಳು ಬರಂದಿಗಳ, ಮೋರಿಗಳ ಮತ್ತು ಒಳಚರಂಡಿಗಳ ಸರಾಗ ಹರಿವಿಗೆ ತಡೆಯನ್ನು ಉಂಟುಮಾಡುವುದರ ಜೊತೆಗೆ ನಗರ ಪ್ರದೇಶಗಳಲ್ಲಿನ ಜಲಕಾಯಗಳ ಮಾಲಿನ್ಯಕ್ಕೆ ಕಾರಣವಾಗುತ್ತಿರುವುದನ್ನು ಗಮನಿಸಲಾಗಿದೆ.

ಆದುದರಿಂದ, ಇಂತಹ ಸಮಸ್ಯೆಗಳು ಪುನರಾವರ್ತನೆಯಾಗದಂತೆ ಪರಿಣಾಮಕಾರಿಯಾಗಿ ತಡೆಯುವ ದೃಷ್ಟಿಯಿಂದ, ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಪ್ರದತ್ತವಾಗಿರುವ ಪರಿಸರ (ಸಂರಕ್ಷಣೆ) ಕಾಯಿದೆ 1986ರ ಸೆಕ್ಷನ್ 5ರಲ್ಲಿನ ಅಧಿಕಾರವನ್ನು ಜನಾಯಿಸಿ ಪ್ಲಾಸ್ಟಿಕ್ ಕ್ಯಾರಿಬ್ಯಾಗ್, ಪ್ಲಾಸ್ಟಿಕ್ ಭಿತ್ತಿಪತ್ರ, ಪ್ಲಾಸ್ಟಿಕ್ ತೋರಣ, ಪ್ಲೆಕ್ಸ್, ಬಾವುಟ, ಪ್ಲಾಸ್ಟಿಕ್ ತಟ್ಟೆ, ಪ್ಲಾಸ್ಟಿಕ್ ಲೋಟ, ಪ್ಲಾಸ್ಟಿಕ್ ಚಮಚ, ಕ್ಲಿಂಗ್ ಫಿಲ್ಮ್ ಮತ್ತು ಉಟದ ಮೇಜಿನ ಮೇಲೆ ಹರಡುವ ಪ್ಲಾಸ್ಟಿಕ್ ಹಾಳೆ ಹಾಗೂ ಫರ್ಮೋಕೋಲ್ ಮತ್ತು ಪ್ಲಾಸ್ಟಿಕ್ ಮೈಕ್ರೋ ಬೀಡ್‌ನಿಂದ ತಯಾರಾದಂತಹ ಮೇಲ್ಕಂಡ ವಸ್ತುಗಳ ತಯಾರಿಕೆ, ಸರಬರಾಜು ಮತ್ತು ಬಳಕೆಯನ್ನು ನಿಷೇಧಿಸಿ ಸರ್ಕಾರ ರಾಜ್ಯದ ಕೆಳಗಿನ ನಿರ್ದೇಶನವನ್ನು ಹೊರಡಿಸಿದೆ. ಈ ಅಧಿಸೂಚನೆ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಗೊಂಡ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರುತ್ತದೆ.

**ನಿರ್ದೇಶನ**

- ಯಾವುದೇ ವ್ಯಕ್ತಿ, ಅಂಗಡಿ ಮಾಲೀಕ, ಮಾರಾಟಗಾರ, ಸಗಟುಮಾರಾಟಗಾರ ಅಥವಾ ಚಿಲ್ಲರೆವ್ಯಾಪಾರಿ, ವ್ಯಾಪಾರಿ ಮತ್ತು ಮಾರಾಟಗಾರರು, ಯಾವುದೇ ದಪ್ಪದ ಯಾವುದೇ ರೀತಿಯ ಪ್ಲಾಸ್ಟಿಕ್ ಕ್ಯಾರಿಬ್ಯಾಗ್, ಪ್ಲಾಸ್ಟಿಕ್ ಭಿತ್ತಿಪತ್ರ, ಪ್ಲಾಸ್ಟಿಕ್ ತೋರಣ, ಪ್ಲೆಕ್ಸ್, ಪ್ಲಾಸ್ಟಿಕ್ ಬಾವುಟ, ಪ್ಲಾಸ್ಟಿಕ್ ತಟ್ಟೆ, ಪ್ಲಾಸ್ಟಿಕ್ ಲೋಟ, ಪ್ಲಾಸ್ಟಿಕ್ ಚಮಚ, ಕ್ಲಿಂಗ್ ಫಿಲ್ಮ್ ಮತ್ತು ಉಟದ ಮೇಜಿನ ಮೇಲೆ ಹರಡುವ ಪ್ಲಾಸ್ಟಿಕ್ ಹಾಳೆ ಹಾಗೂ ಫರ್ಮೋಕೋಲ್ ಮತ್ತು ಪ್ಲಾಸ್ಟಿಕ್ ಮೈಕ್ರೋ ಬೀಡ್‌ನಿಂದ ತಯಾರಾದಂತಹ ಮೇಲ್ಕಂಡ ವಸ್ತುಗಳ ಬಳಕೆಯನ್ನು ರಾಜ್ಯದಾದ್ಯಂತ ನಿಷೇಧಿಸಲಾಗಿದೆ. ಮುಂದುವರೆದು, ಯಾವುದೇ ಕೈಗಾರಿಕೆ ಅಥವಾ ವ್ಯಕ್ತಿ ಯಾವುದೇ ದಪ್ಪದ ಯಾವುದೇ ರೀತಿಯ ಪ್ಲಾಸ್ಟಿಕ್ ಕ್ಯಾರಿಬ್ಯಾಗ್, ಪ್ಲಾಸ್ಟಿಕ್ ಭಿತ್ತಿಪತ್ರ, ಪ್ಲಾಸ್ಟಿಕ್ ತೋರಣ, ಪ್ಲೆಕ್ಸ್, ಪ್ಲಾಸ್ಟಿಕ್

ಬಾವುಟ, ಪ್ಲಾಸ್ಟಿಕ್ ತಟ್ಟೆ, ಪ್ಲಾಸ್ಟಿಕ್ ಲೋಟ, ಪ್ಲಾಸ್ಟಿಕ್ ಚಮಚ, ಕ್ಲಿಂಗ್ ಫಿಲ್ಮ್ ಮತ್ತು ಉಟದ ಮೇಜಿನ ಮೇಲೆ ಹರಡುವ ಪ್ಲಾಸ್ಟಿಕ್ ಹಾಳೆ ಹಾಗೂ ಥರ್ಮೋಕೋಲ ಮತ್ತು ಪ್ಲಾಸ್ಟಿಕ್ ಮೈಕ್ರೋ ಬೀಡ್‌ನಿಂದ ತಯಾರಾದಂತಹ ಮೇಲ್ಕಂಡ ವಸ್ತುಗಳ ತಯಾರಿಕೆ, ಸರಬರಾಜು, ಸಂಗ್ರಹಣೆ, ಸಾಗಾಣಿಕೆ, ಮಾರಾಟ ಮತ್ತು ವಿತರಣೆ ಮಾಡುವುದನ್ನು ರಾಜ್ಯಾದ್ಯಂತ ನಿಷೇಧಿಸಿದೆ.

ಪರಂತು, ಈ ಕೆಳಕಂಡ ಸಂದರ್ಭ ಮತ್ತು ಜಟುವಟಿಕೆಗಳಿಗೆ ಬಳಸುವ ಪ್ಲಾಸ್ಟಿಕ್ ವಸ್ತುಗಳಿಗೆ ಈ ಅಧಿಸೂಚನೆಯಿಂದ ವಿನಾಯಿತಿ ನೀಡಲಾಗಿದೆ.

- ಅ) ಏಕೇಷ್‌ ಆರ್ಥಿಕ ವಲಯ (SEZ) ಮತ್ತು ರಫ್ತು ಉದ್ದೇಶಿತ ಘಟಕಗಳಲ್ಲಿ (EOU) ಸ್ಥಾಪಿತವಾದ ಪ್ಲಾಸ್ಟಿಕ್ ಉದ್ಯಮದಲ್ಲಿ ರಫ್ತು ಮಾಡುವ ಉದ್ದೇಶಕ್ಕಿಂದು ಪ್ರತ್ಯೇಕವಾಗಿ ಹಾಗೂ ರಫ್ತು ಆರ್ಡರ್ ಮೇರೆಗೆ ಉತ್ಪಾದಿಸಲ್ಪಡುವ ಪ್ಲಾಸ್ಟಿಕ್ ವಸ್ತುಗಳು.
  - ಆ) ಸಾಮಗ್ರಿಗಳನ್ನು ಬಳಸುವುದಕ್ಕೆ ಮೊದಲು ಉತ್ಪಾದನಾ/ಸಂಸ್ಕರಣಾ ಘಟಕಗಳಲ್ಲಿ ಪ್ಯಾಕ್ ಮಾಡಿ ಸೀಲ್ ಮಾಡಲು ಬಳಸುವ ಹಾಗೂ ಸಾಮಗ್ರಿಗಳ ಪ್ಯಾಕೇಜಿಂಗ್ ಮಾಡುವ ಸಂದರ್ಭದಲ್ಲಿ ಅವಿಭಾಜ್ಯವಾಗಿ ಉಪಯೋಗಿಸುವ ಪ್ಲಾಸ್ಟಿಕ್ ಪ್ಯಾಕ್‌ಗಳು.
  - ಇ) ಸರ್ಕಾರಿ ಇಲಾಖೆಗಳಿಂದ ಅಥವಾ ಇತರೆ ಸಂಬಂಧಪಟ್ಟ ಸಂಸ್ಥೆಗಳಿಂದ ಸ್ವೀಕೃತವಾದ ಆರ್ಡರ್‌ಗೆ ಎದುರಾಗಿ ಆರಣ್ಯ ಮತ್ತು ತೋಟಗಾರಿಕೆ ವರ್ಸಿಂಗ್‌ನಲ್ಲಿ ಬಳಸುವ ಪ್ಲಾಸ್ಟಿಕ್ ಬೀಲಗಳು ಹಾಗೂ ಹಾಳೆಗಳು.
  - ಈ) ಪಾಲಿ ಮತ್ತು ಪಾಲಿ ಉತ್ಪನ್ನಗಳ (ಹೈಮು ಉತ್ಪನ್ನಗಳು) ಪ್ಯಾಕಿಂಗ್‌ಗೆ ಬಳಸುವ ಪ್ಲಾಸ್ಟಿಕ್‌ಗಳು.
2. ಈ ನಿರ್ದೇಶನವನ್ನು ಕೆಳಗೆ ಪಟ್ಟಿಮಾಡಿದ ಅಧಿಕಾರಿಗಳು ಆಯಾ ಹುದ್ದೆಗಳಿಗೆ ನಿಯಮಾನುಸಾರ ಪ್ರದತ್ತವಾಗಿರುವ ಅಧಿಕಾರದಂತೆ ಅವರವರ ಕಾರ್ಯವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಜಾರಿಗೊಳಿಸಬಹುದಾಗಿರುತ್ತದೆ:
- ಆ. ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಆಯುಕ್ತರು, ಜಂಟಿ ಆಯುಕ್ತರುಗಳು, ಕಂದಾಯ ಅಧಿಕಾರಿಗಳು, ಪಾಲಿಕೆಯ ಎಲ್ಲಾ ಸಾರ್ವಜನಿಕ ಕಡೋಗ್ರಾಧಿಕಾರಿಗಳು ಮತ್ತು ಎಲ್ಲಾ ಅಭಿಯಂತರರು.
  - ಇ. ಎಲ್ಲಾ ಜಿಲ್ಲೆಗಳ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು.
  - ಇ. ರಾಜ್ಯದ ಎಲ್ಲಾ ನಗರ ಸಭೆ ಆಯುಕ್ತರು, ಮುಖ್ಯಾಧಿಕಾರಿಗಳು, ನಗರ ಸಭೆ ಕಡೋಗ್ರಾಧಿಕಾರಿಗಳು ಮತ್ತು ಎಲ್ಲಾ ಅಭಿಯಂತರರು.
  - ಈ. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ ಸಹಾಯಕ ಪರಿಸರ ಅಧಿಕಾರಿ, ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ, ಪರಿಸರ ಅಧಿಕಾರಿ ಮತ್ತು ಓರಿಯ ಪರಿಸರ ಅಧಿಕಾರಿಗಳು.
  - ಉ. ಕಂದಾಯ ಉಪ ವಿಭಾಗದ ಎಲ್ಲಾ ಸಹಾಯಕ ಆಯುಕ್ತರುಗಳು.
  - ಊ. ಎಲ್ಲಾ ತಾಲ್ಲೂಕುಗಳ ತಹಶೀಲ್ದಾರರು.
  - ಋ. ಪಾಲಿಜಿ ತೆರಿಗೆ ಇಲಾಖೆಯ ಎಲ್ಲಾ ಅಧಿಕಾರಿಗಳು.
  - ಃ. ಆಹಾರ ಮತ್ತು ನಾಗರಿಕ ಸೂಕ್ಷ್ಮ ಇಲಾಖೆಯ ಎಲ್ಲಾ ಅಧಿಕಾರಿಗಳು.
  - ಛ. ಕೂಲಿ ಮಾಪನ ಮತ್ತು ಅಳತೆ ಇಲಾಖೆಯ ನಿಯಂತ್ರಕರು, ಉಪ ನಿಯಂತ್ರಕರು, ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರಿಗಳು.
3. ಈ ನಿರ್ದೇಶನವನ್ನು ಉಲ್ಲಂಘಿಸಿದ ಸಂದರ್ಭದಲ್ಲಿ ಕೆಳಕಂಡ ಅಧಿಕಾರಿಗಳು ಅಪರಾಧದ ಸ್ವರೂಪಕ್ಕೆ ಅನುಗುಣವಾಗಿ ಪರಿಸರ (ಸಂರಕ್ಷಣೆ) ಕಾಯಿದೆ, 1986ರ ಸೆಕ್ಷನ್ 19ರ ಅನ್ವಯ ಪ್ರದತ್ತವಾಗಿರುವ ಅಧಿಕಾರದಂತೆ ಈ ಅಧಿಸೂಚನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿದವರ ಮೇಲೆ ಆಯಾ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಮೊಕದ್ದಮೆಯನ್ನು ಹೂಡಲು ಕ್ರಮ ಜರುಗಿಸುವುದು.

- ಆ. ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿ (ಪರಿಸರ ಮತ್ತು ಬೇವಿಶಾಸ್ತ್ರ) ಆರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ.
- ಆ. ಎಲ್ಲಾ ಜಿಲ್ಲೆಗಳ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು
- ಇ. ಕಂದಾಯ ಇಲಾಖೆಯ ಎಲ್ಲಾ ಸಹಾಯಕ ಆಯುಕ್ತರುಗಳು.
- ಈ. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯ ಕಾರ್ಯದರ್ಶಿಗಳು.
- ಉ. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ ಎಲ್ಲಾ ಪ್ರಾದೇಶಿಕ ಪರಿಸರ ಅಧಿಕಾರಿಗಳು.

**ವಿವರಣೆ 1** "ಪ್ಲಾಸ್ಟಿಕ್" ಎಂದರೆ ಪಾಲಿ ಪ್ರೊಪೈಲಿನ್ (PP), ನಾನ್-ಓವನ್ ಪಾಲಿ ಪ್ರೊಪೈಲಿನ್, ಮಲ್ಟಿ ಲೇಯರ್ಡ್ ಕೊ-ಎಕ್‌ಟ್ರೂಡರ್ ಪಾಲಿ ಪ್ರೊಪೈಲಿನ್, ಪಾಲಿ ಇತಲಿನ್ (PE), ಪಾಲಿ ವಿನೈಲ್ ಕ್ಲೋರೈಡ್ (PVC), ಹೈ ಮತ್ತು ಲೋ ಡೆನ್ಸಿಟಿ ಪಾಲಿ ಇತಲಿನ್ (HDPE & LDPE), ಥರ್ಮೋಕೋಲ ಎಂದು ಕರೆಯಲ್ಪಡುವ ಪಾಲಿ ಸ್ಟಿನ್ (PS), ಪಾಲಿ

ಆಮ್ನಿಡ್ (ನೈಲಾನ್), ಪಾಲಿ ಟೆರೆಫ್ಥೇಲೇಟ್ (PT), ಪಾಲಿ ಮೀಥೈಲ್ ಮೆಥಾಕ್ರಿಲೇಟ್ (PMM) ಮತ್ತು ಪ್ಲಾಸ್ಟಿಕ್ ಮೈಸೆಂ ಬೀಡ್‌ಗಳಿಂದ ತಯಾರಾದ ಈ ನಿರ್ದೇಶನದಲ್ಲಿ ಹೆಸರಿಸಲ್ಪಟ್ಟಿರುವ ಎಲ್ಲಾ ವಸ್ತುಗಳು.

ವಿವರಣೆ 2 - "ಕ್ಯಾರಿಬ್ಯಾಗ್" ಎಂಬ ಶಬ್ದಕ್ಕೆ ಪ್ಲಾಸ್ಟಿಕ್ ತ್ಯಾಜ್ಯ (ನಿರ್ವಹಣೆ ಮತ್ತು ನಿಭಾವಣೆ) ನಿಯಮಗಳು 2011ರ ನಿಯಮ 3 (ಬಿ)ರಲ್ಲಿ ನೀಡಿರುವ ವ್ಯಾಖ್ಯಾನವನ್ನು ಯಶಾವತ್ತಾಗಿ ಬಳಸುವುದು. ಈ ವ್ಯಾಖ್ಯಾನದಲ್ಲಿ ಯಾವುದೇ ಸಾಮಗ್ರಿಗಳನ್ನು ಬಳಸುವುದಕ್ಕೆ ಮೊದಲು ಪ್ಯಾಕ್ ಮಾಡಿ ಸೀಲ್ ಮಾಡಿರುವ ಪ್ಯಾಕೇಜಿಂಗ್ ಪ್ಲಾಸ್ಟಿಕ್‌ಗಳು ಸೇರಿರುವುದಿಲ್ಲ.

ವಿವರಣೆ 3 - ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಲಿಯು ಪ್ಲಾಸ್ಟಿಕ್ ತ್ಯಾಜ್ಯ (ನಿರ್ವಹಣೆ ಮತ್ತು ನಿಭಾವಣೆ) ನಿಯಮಗಳು 2011ರ ನಿಯಮ(4)ರ ಷರತ್ತು (ಎ) ನಲ್ಲಿ ಪಟ್ಟಿಮಾಡಲಾಗಿರುವ ಕಾರ್ಯಗಳನ್ನು ಜಾರಿಗೊಳಿಸುವ ಅಧಿಕಾರವನ್ನು ಒಂದುದಿದ್ದು ಇನ್ನೊಂದು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ನಿಯಮ (4)ರ ಷರತ್ತು (ಬಿ)ನಲ್ಲಿ ಪಟ್ಟಿಮಾಡಲಾಗಿರುವ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸುವ ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರುತ್ತವೆ.

ವಿವರಣೆ 4 - ಭಾರತ ಸರ್ಕಾರವು ಹೊರಡಿಸಿರುವ ಅಧಿಸೂಚನೆ ಸಂ:ಎಸ್.ಒ.394(ಇ), ದಿನಾಂಕ:16.04.1987ರಲ್ಲಿ ಹಾಗೂ ಕಾಲಕಾಲಕ್ಕೆ ಆಗುವ ತಿದ್ದುಪಡಿಗಳ ಅನುಸಾರ ಪಟ್ಟಿಮಾಡಲಾಗಿರುವ ಎಲ್ಲಾ ಅಧಿಕಾರಿಗಳು ಈ ಅಧಿಸೂಚನೆಯನ್ನು ಉಲ್ಲಂಘಿಸದವರ ವಿರುದ್ಧ ಸಂಬಂಧಪಟ್ಟ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪರಿಸರ (ಸಂರಕ್ಷಣೆ) ಕಾಯಿದೆ, 1986ರ ಸೆಕ್ಷನ್ 19ರಡಿ ದೂರುಗಳನ್ನು ದಾಖಲಿಸುವ ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರುತ್ತಾರೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

ಮಹೇಂದ್ರ ಜೈನ್

ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ  
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ.

**FOREST, ECOLOGY AND ENVIRONMENT SECRETARIAT  
NOTIFICATION**

**No. FEE 17 EPC 2012, Bangalore, Dated: 11.03.2016**

Whereas, plastic carry bags and other plastic items used in daily life cause short term and long term environmental damage and health hazard;

And whereas, Article 48-A of the Constitution of India, inter alia, envisages that the State shall endeavor to protect and improve the environment;

And whereas, it has come to the knowledge of the Government that, the use of plastic carry bags, banners, buntings, flex, plastic flags, plastic plates, plastic cups, plastic spoons, cling films and plastic sheets used for spreading on dining table and items that are made of thermocol are causing serious environmental hazards and affects health of human beings as well as animals;

And whereas, it is observed that the plastic wastes is also causing blockage of gutters, sewers and drains apart from resulting in pollution of water bodies in urban areas;

And whereas, with a view to prevent the recurrence of such problems, the State Government in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, issues the following directions imposing ban on manufacture, supply, sale and use of plastic carry bags, plastic banners, plastic buntings, flex, plastic flags, plastic plates, plastic cups, plastic spoons, cling films and plastic sheets used for spreading on dining table including the above items made of thermocol and plastic which use plastic micro beads in the state. This notification comes into effect from the date of its publication in the Official Gazette.

**DIRECTION**

1. No person including shopkeeper, vendor, wholesaler, retailer, trader, hawker or salesmen shall use plastic carry bags, plastic banners, plastic buntings, flex, plastic flags, plastic plates, plastic cups, plastic spoons, cling films and plastic sheets used for spreading on dining table irrespective of thickness including the above items made of thermocol and plastic which use plastic micro beads. Further, no industry or person shall manufacture, supply, store, transport, sale and/or distribute plastic carry bags, plastic banners, plastic buntings, flex, plastic flags, plastic plates, plastic cups, plastic spoons, cling films and plastic sheets used for spreading on

dining table irrespective of their thickness including the above items made of thermocol and plastic which use plastic micro beads in the State.

Provided that, the plastic used for the following purposes and circumstances are exempted from this notification;

- a) The plastic carry bags manufactured exclusively for export purpose against any export orders in a plastic industry located in Special Economic Zone (SEZ) and Export Oriented Units (EOU).
  - b) The plastic bags which constitute or form an integral part of packaging in which goods are sealed prior to use at manufacturing/processing units.
  - c) The plastic bags and sheets used in Forestry and Horticulture nurseries against the orders from the Govt Departments or from the firms concerned.
  - d) The plastic used for packing of milk and milk products (dairy products).
2. That the following Officers shall enforce this direction in exercise of power conferred on them by law in their jurisdiction.
- a) The Commissioner, Joint Commissioners, Revenue Officers, all Health Officers and all Engineers of BBMP.
  - b) All Deputy Commissioners of the districts.
  - c) All Commissioners of City Corporations, Chief Officers, Health Officers and all Engineers of Urban Local Bodies.
  - d) All Assistant Environmental Officers, Deputy Environmental Officers, Environmental Officers and Senior Environmental Officers of KSPCB.
  - e) All Assistant Commissioners of Revenue Sub Divisions.
  - f) Tahsildars of all Taluks.
  - g) All officers of Commercial Tax Department.
  - h) All officers of Department of Food and Civil supplies.
  - i) The Controller, Deputy Controller and Regional Officers of Legal Metrology Department.
3. That the following officers shall take cognizance of offences and initiate legal action in case of noncompliance of this direction as per the powers conferred on them under section 19 of the Environment (Protection) Act, 1986 and to file complaint in the jurisdictional court of law on all violators.
- a) Secretary to Government (Ecology & Environment), Forest, Environment and Ecology Department.
  - b) Chairman and Member Secretary, KSPCB.
  - c) Deputy Commissioners of the Districts.
  - d) Assistant Commissioners of Revenue Sub Divisions.
  - e) Regional Officers of KSPCB.

**Explanation 1-** "Plastic" means any of the items mentioned in this direction made out of poly propylene (PP), non-woven poly propylene, multi layered co extruder poly propylene, poly ethylene (PE), poly vinyl chloride (PVC), high and low density poly ethylene (HDPE & LDPE), poly styrene (PS) which is also called thermocol, poly amides (Nylon), poly terephthalate (PT), poly methyl methacrylate (PMM) and plastic micro beads.

**Explanation 2-** The word "carry bag" will have the same meaning that is provided in Rule 3 (b) of the Plastic Waste (Management and Handling) Rules, 2011. In this definition exemption is provided for plastic bag that constitute or form an integral part of packaging in which goods are sealed prior to use.

**Explanation 3-** Karnataka State Pollution Control Board shall be responsible for enforcement regarding the functions specified in clause (a) of Rule 4 of the Plastic Waste (Management and Handling) Rules, 2011 and Urban Local Bodies shall be responsible for enforcement regarding the functions specified in clause (b) of rule 4 of the said Rules;

**Explanation 4-** Officers as mentioned in Government of India's Notification No.S.O.394 (E) dated 16.04.1987 amended from time to time are authorized to file complaints against violation of directions included in this Notification under Section 19 of the Environment (Protection) Act, 1986.

By Order & in the name of the Governor of Karnataka,

**Mahendra Jain**  
Additional Chief Secretary to Government,  
Forest, Ecology and Environment Department



**4.3.3. GOVERNMENT ORDER: NO.  
UDD 126 TMS 2016 DTD: 7/8/2017  
(DIRECT PAYMENT OF PKS)**

## ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ನಡವಳಿಗಳು

ವಿಷಯ: ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆ, ಪುರಸಭೆ ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿ ಗಳಲ್ಲಿ ಖಾಲಿ ಇರುವ ಪೌರಕಾರ್ಮಿಕರ ಹುದ್ದೆಗಳನ್ನು ಭರ್ತಿ ಮಾಡಲು ನಿರೀಕ್ಷಿಸಿ ನೇಮಕಾತಿ ನಿಯಮಗಳ ಅನುಮೋದನೆ ಮತ್ತು ಆಯಾ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಹೊರಗುತ್ತಿಗೆ ಪೌರಕಾರ್ಮಿಕರಿಗೆ ನೇರವಾಗಿ ಸಂಭಾವನೆ ಪಾವತಿಸುವ ಬಗ್ಗೆ.

ಓದಲಾಗಿದೆ:

- 1) ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: ನಅಇ 124 ಟಿಎಂಎಸ್ 2012, ದಿನಾಂಕ 18.05.2016.
- 2) ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ ಇವರ ವಿಕೇಡತ ಸಂಖ್ಯೆ: ಡಿಎಂಎ 64 ಎಸ್‌ಡಬ್ಲ್ಯೂಎಂ 2016-17.
- 3) ಸನ್ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ದಿನಾಂಕ 13.02.2017 ರಂದು ನಡೆದ ಸಭೆಯ ನಡವಳಿಗಳು.
- 4) ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: ನಅಇ 20 ಟಿಎಂಎಸ್ 2017, ದಿನಾಂಕ 01.03.2017.
- 5) ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಭಾಯಿ ಕರ್ಮಚಾರಿಗಳ ಆಯೋಗ ಈಗಿನ ಮತ್ತು ಹಿಂದಿನ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಅಧಿಕಾರಿಗಳ ತಂಡವು ಸಲ್ಲಿಸಿರುವ ವರದಿ ದಿನಾಂಕ 22.03.2017.
- 6) ಅಧ್ಯಕ್ಷರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಹಾನಗರಪಾಲಿಕೆಗಳು, ಪುರಸಭೆಗಳ ಪೌರಕಾರ್ಮಿಕರ ಮಹಾಸಂಘ ಇವರ ಮನವಿ-ದಿನಾಂಕ 24.05.2017.
- 7) ಅಧ್ಯಕ್ಷರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಭಾಯಿ ಕರ್ಮಚಾರಿಗಳ ಆಯೋಗ ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ: ಕರಾಸಕಆ/ಸಿಆರ್/122/2016-17, ದಿನಾಂಕ 30.05.2016.
- 8) ಸನ್ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ದಿನಾಂಕ 23.06.2017 ರಂದು ನಡೆದ ಸಭೆಯ ನಡವಳಿಗಳು.
- 9) ಆಯುಕ್ತರು, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ: ಬಿ12(2)ಪಿಆರ್/46/2017-18, ದಿನಾಂಕ 29.06.2017.
- 10) ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ, ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ: 13651 ಡಿಎಂಎ 10 ಡಿಡಬ್ಲ್ಯೂಡಿ 2017, ದಿನಾಂಕ 28.06.2017.

ಪ್ರಸ್ತಾವನೆ:

ಮೇಲೆ ಓದಲಾದ (1)ರ ದಿನಾಂಕ: 18.05.2016ರ ಸರ್ಕಾರದ ಆದೇಶದಲ್ಲಿ ರಾಜ್ಯದ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಗುತ್ತಿಗೆ / ಹೊರಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ನೌಕರರುಗಳಿಗೆ ಹಲವು ಸೌಲಭ್ಯಗಳನ್ನು ನೀಡಲು ಸರ್ಕಾರದ ಅನುಮೋದನೆಯನ್ನು ನೀಡಲಾಗಿತ್ತು.

ಮೇಲೆ ಓದಲಾದ (2) ರಲ್ಲಿ ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ ಇವರು ವಿಕೇಡತದಲ್ಲಿ ಸಲ್ಲಿಸಿರುವ ಪ್ರಸ್ತಾವನೆಯನ್ನು ರಾಜ್ಯದ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಗುತ್ತಿಗೆ / ಹೊರಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಪೌರಕಾರ್ಮಿಕರುಗಳ ಸೇವೆಯನ್ನು ಸಕ್ರಮಗೊಳಿಸುವ ಪ್ರಕ್ರಿಯೆಯಲ್ಲಿ ಹಲವಾರು ಆಡಳಿತಾತ್ಮಕ, ಕಾನೂನಾತ್ಮಕ ಹಾಗೂ ಆರ್ಥಿಕ ತೊಂದರೆ ತೊಡಕುಗಳಿರುವುದರಿಂದ ಹಾಗೂ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಪ್ರಸ್ತುತ ಇರುವ ಪದ್ಧತಿಯನ್ನೇ ಮುಂದುವರಿಸಿಕೊಂಡು ಹೋಗುವುದು

ಸೂಕ್ತವಿರುವುದರಿಂದ, ಹೊರಗುತ್ತಿಗೆ ಅಡಿಯಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಪೌರಕಾರ್ಮಿಕರುಗಳ ಸೇವೆಯನ್ನು ಸಕ್ರಮಗೊಳಿಸುವ ವಿಷಯದ ಬಗ್ಗೆ ಕೂಲಂಕಷವಾಗಿ ಮನರ್ ಪರಿಶೀಲಿಸಿ ಸೂಕ್ತ ನಿರ್ಧಾರ ತೆಗೆದುಕೊಳ್ಳುವ ಬಗ್ಗೆ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ಮೇಲೆ ಓದಲಾದ (3)ರ ದಿನಾಂಕ 13.02.2017 ರಂದು ಸನ್ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ನಡೆದ ಸಭೆಯಲ್ಲಿ ವಿವರವಾದ ಚರ್ಚೆಯ ನಂತರ ಇಲಾಖೆಗೆ ಖಾಲಿಯಿರುವ ಹುದ್ದೆಗಳನ್ನು ತುಂಬಲು ವಿಶೇಷ ನೇಮಕಾತಿ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ಹಾಗೂ ಕೆಲವು ಹುದ್ದೆಗಳನ್ನು ಪಂಚ ಸಂತವಾಗಿ ತುಂಬಿಕೊಳ್ಳಲು ಸೂಚಿಸಿದರು ಹಾಗೂ ಸಫಾಯಿ ಕರ್ಮಚಾರಿಗಳ ಆಯೋಗದ ಹಿಂದಿನ ಮತ್ತು ಇಂದಿನ ಅಧ್ಯಕ್ಷರೊಂದಿಗೆ ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆಯ ಅಧಿಕಾರಿಗಳು ಪರಿಯಾಣ ಮತ್ತು ಪಂಜಾಬ್ ರಾಜ್ಯಕ್ಕೆ ಭೇಟಿ ನೀಡಿ ಅಲ್ಲಿನ ಪದ್ಧತಿಯಲ್ಲಿ ಅಧ್ಯಯನ ಮಾಡಿ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿಯೂ ಜಾರಿಗೆ ತರುವ ಬಗ್ಗೆ ಪರಿಶೀಲಿಸಲು ಸೂಚಿಸಲಾಗಿತ್ತು.

ಮೇಲೆ ಓದಲಾದ (4)ರ ಆದೇಶ ದಿನಾಂಕ 01.03.2017ರಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಫಾಯಿ ಕರ್ಮಚಾರಿಗಳ ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು, ಹಿಂದಿನ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಇಲಾಖಾ ಅಧಿಕಾರಿಗಳ ತಂಡವನ್ನು ರಚಿಸಿ ಪರಿಯಾಣ ಮತ್ತು ಪಂಜಾಬ್ ರಾಜ್ಯಗಳಿಗೆ ಭೇಟಿ ನೀಡಿ ಅಲ್ಲಿನ ಪದ್ಧತಿಯನ್ನು ಅಧ್ಯಯನ ಮಾಡಿ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿಯೂ ಸಹ ಆ ವ್ಯವಸ್ಥೆಯನ್ನು ಜಾರಿಗೆ ತರುವ ಸಂಬಂಧ ವರದಿ ಸಲ್ಲಿಸುವ ಬಗ್ಗೆ ಆದೇಶಿಸಲಾಗಿತ್ತು.

ಮೇಲೆ ಓದಲಾದ (5)ರಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಫಾಯಿ ಕರ್ಮಚಾರಿಗಳ ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಹಿಂದಿನ ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಅಧಿಕಾರಿಗಳ ತಂಡವು ದಿನಾಂಕ 06.03.2017 ರಿಂದ 09.03.2017 ರವರೆಗೆ ಹರಿಯಾಣ ಮತ್ತು ಪಂಜಾಬ್ ರಾಜ್ಯಗಳಿಗೆ ಭೇಟಿ ನೀಡಿ ದಿನಾಂಕ 22.03.2017 ರಂದು ಸಲ್ಲಿಸಿರುವ ವರದಿಯಲ್ಲಿ ಸಮಿತಿಯು ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ ಪ್ರಸ್ತುತ ಜಾರಿಯಲ್ಲಿರುವ ಪೌರಕಾರ್ಮಿಕರ ಹೊರಗುತ್ತಿಗೆ ಪದ್ಧತಿಯನ್ನು ರದ್ದುಗೊಳಿಸಿ ಹರಿಯಾಣ ರಾಜ್ಯದ ಮಾದರಿಯಲ್ಲಿ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಹೊರಗುತ್ತಿಗೆ ಮೂಲಕ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಪೌರಕಾರ್ಮಿಕರುಗಳನ್ನು ವಿಶೇಷ ನೇಮಕಾತಿ ನಿಯಮಗಳನ್ನು ರಚನೆ ಮಾಡಿ ಮಂಜೂರಾಗಿರುವ ಪೌರಕಾರ್ಮಿಕ ಹುದ್ದೆಗಳ ಎದುರಾಗಿ ನೇಮಕ ಮಾಡಿಕೊಂಡು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಮೂಲಕ ವೇತನವನ್ನು ನೇರವಾಗಿ ಪೌರಕಾರ್ಮಿಕರ ಬ್ಯಾಂಕ್ ಖಾತೆಗೆ ಜಮಾ ಮಾಡಲು ಹಾಗೂ ಇ.ಪಿ.ಎಫ್. ಮಾತೃವನ್ನು ನೇರವಾಗಿ ಕಾರ್ಮಿಕರ ಇ.ಪಿ.ಎಫ್.ಖಾತೆಗೆ ಜಮಾ ಮಾಡಲು ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ ತಂಡವು ಶಿಫಾರಸ್ಸು ಮಾಡಿರುತ್ತದೆ.

ಮೇಲೆ ಓದಲಾದ (6)ರ ದಿನಾಂಕ 24.05.2017ರ ಮನವಿಯಲ್ಲಿ ಅಧ್ಯಕ್ಷರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಹಾನಗರಪಾಲಿಕೆಗಳು, ಮರಸಭೆಗಳ ಪೌರಕಾರ್ಮಿಕರ ಮಹಾಸಂಘ ಇವರು ಸಲ್ಲಿಸಿರುವ ಬೇಡಿಕೆಯಲ್ಲಿ ತಮಗೆ ಸಂಭಾವನೆಯನ್ನು ನೇರವಾಗಿ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಂದ ನೀಡುವಂತೆ ಹಾಗೂ ಹೊರಗುತ್ತಿಗೆ ಪದ್ಧತಿಯನ್ನು ರದ್ದುಪಡಿಸುವಂತೆ ಒತ್ತಾಯಿಸಿ ಮುಷ್ಕರ ಪ್ರಾರಂಭಿಸಿದ್ದರು. ಈ ಕುರಿತು ಮಾನ್ಯ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಗರ ಯೋಜನಾ ಸಚಿವರು, ಮಾನ್ಯ ನಗರಾಭಿವೃದ್ಧಿ ಮತ್ತು ಹಜ್ ಸಚಿವರು ಮತ್ತು ಪೌರಾಡಳಿತ, ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಹಾಗೂ ಸಾರ್ವಜನಿಕ ಉದ್ಯಮಗಳ ರಾಜ್ಯ ಸಚಿವರು ಹೊರಗುತ್ತಿಗೆ ಪೌರಕಾರ್ಮಿಕರುಗಳಿಗೆ ಇಂಧೋರ್ (ಮಧ್ಯಪ್ರದೇಶ), ಚೆನ್ನೈ (ತಮಿಳುನಾಡು), ವಾಣಿವಿಲಾಸ ನೀರು ಸರಬರಾಜು ಕೇಂದ್ರ, ಮೈಸೂರು ಮಹಾನಗರಪಾಲಿಕೆ ನೀಡುತ್ತಿರುವಂತೆ ಇತರ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿಯೂ ಸಹ ವೇತನವನ್ನು ನೇರವಾಗಿ ಪಾವತಿಸಲು ಕ್ರಮ ವಹಿಸುವಂತೆ ಸೂಚಿಸಲಾಗಿತ್ತು.

ಮೇಲೆ ಓದಲಾದ (7)ರ ದಿನಾಂಕ 30.05.2016ರ ಪತ್ರದಲ್ಲಿ ದಿನಾಂಕ: 04.05.2016ರ ಸಚಿವ ಸಂಪುಟ ತ್ರೈಮಾಸದನ್ವಯ ಮಾರ್ಚ್ 2017 ರೊಳಗೆ ಗುತ್ತಿಗೆ ಪದ್ಧತಿಯನ್ನು ರದ್ದುಮಾಡಿ ಗುತ್ತಿಗೆ ಪೌರಕಾರ್ಮಿಕರನ್ನು ಖಾಯಂ ಮಾಡಬೇಕಾಗಿರುವುದರಿಂದ ಟೆಂಡರ್ ಪ್ರಕ್ರಿಯೆಯನ್ನು 2017 ರೊಳಗೆ ಪೂರ್ಣಗೊಳಿಸಿ ಆದೇಶ ನೀಡಬೇಕೆಂದು ಅಧ್ಯಕ್ಷರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಫಾಯಿ ಕರ್ಮಚಾರಿಗಳ ಆಯೋಗ ಇವರು ಕೋರಿರುತ್ತಾರೆ.



ಮೇಲೆ ಓದಲಾದ (8)ರ ದಿನಾಂಕ 23.06.2017ರಂದು ಸನ್ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಹಾಗೂ ಮಾನ್ಯ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಗರ ಯೋಜನಾ ಸಚಿವರು, ಮಾನ್ಯ ನಗರಾಭಿವೃದ್ಧಿ ಮತ್ತು ಹೆಚ್ ಸಚಿವರು, ಮಾನ್ಯ ಸಮಾಜ ಕಲ್ಯಾಣ ಮತ್ತು ಹಿಂದುಳಿದ ವರ್ಗಗಳ ಕಲ್ಯಾಣ ಸಚಿವರು ಮತ್ತು ಮಾನ್ಯ ಪೌರಾಡಳಿತ, ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಹಾಗೂ ಸಾರ್ವಜನಿಕ ಉದ್ಯಮಿಗಳ ರಾಜ್ಯ ಸಚಿವರ ಉಪಸ್ಥಿತಿಯಲ್ಲಿ ನಡೆದ ಸಭೆಯಲ್ಲಿ ಈ ಕೆಳಕಂಡಂತೆ ನಿರ್ಣಯಿಸಲಾಗಿರುತ್ತದೆ.

- (1) ದಿನಾಂಕ 4/5/2016ರಂದು ನಡೆದ ಸಚಿವ ಸಂಪುಟ ಸಭೆಯಲ್ಲಿ ಆದೇಶಿಸಿರುವಂತೆ ಹಾಗೂ ದಿನಾಂಕ 13/2/2017ರ ಸಭೆಯಲ್ಲಿ ತೀರ್ಮಾನಿಸಿರುವಂತೆ ಕೆ.ಆರ್.ನೇಮಕಾತಿ ನಿಯಮಗಳನ್ನು ರಚನೆ ಮಾಡಿ ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ಪಟ್ಟಣ ಪಂಚಾಯತಿ, ಪುರಸಭೆ ಮತ್ತು ನಗರಸಭೆಗಳಲ್ಲಿ ನೇರ ನೇಮಕಾತಿಗಾಗಿ ಖಾಲಿ ಇರುವ 10,000 ಪೌರಕಾರ್ಮಿಕರ ಹುದ್ದೆಗಳನ್ನು ಭರ್ತಿ ಮಾಡಲು ಕ್ರಮ ವಹಿಸುವುದು.
- (2) ಮೇಲ್ಕಂಡ ನೇಮಕಾತಿಯಲ್ಲಿ ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ಪಟ್ಟಣ ಪಂಚಾಯತಿ, ಪುರಸಭೆ ಮತ್ತು ನಗರಸಭೆಗಳಲ್ಲಿ ದಿನಗೂಲಿ, ಗುತ್ತಿಗೆ ಕ್ಷೇಮಾಭಿವೃದ್ಧಿ, ಸಮಾನ ಕೆಲಸಕ್ಕೆ ಸಮಾನ ವೇತನ ಪೌರಕಾರ್ಮಿಕರುಗಳಿಗೆ ಹಾಗೂ ಹೊರಗುತ್ತಿಗೆ ಮೇಲೆ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಪೌರಕಾರ್ಮಿಕರಿಗೆ ಆದ್ಯತೆ ನೀಡುವುದು.
- (3) ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯಕ್ಕಾಗಿ ಪೌರಕಾರ್ಮಿಕರನ್ನು ನೇರವಾಗಿ ಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ತೆಗೆದುಕೊಳ್ಳಲು, ಕಾರ್ಮಿಕ ಗುತ್ತಿಗೆ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಅಧಿನಿಯಮ, 1970ರ ಕಲಂ 31 ರಡಿ ವಿನಾಯಿತಿ ನೀಡುವ ಸಂಬಂಧ ಅಗತ್ಯ ಅಧಿಸೂಚನೆಯನ್ನು ಕಾರ್ಮಿಕ ಇಲಾಖೆಯು ಹೊರಡಿಸುವುದು.
- (4) ಕಾರ್ಮಿಕ ಇಲಾಖೆಯು ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಿಗೆ ಕಾರ್ಮಿಕ ಗುತ್ತಿಗೆ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಅಧಿನಿಯಮ, 1970ರ ಕಲಂ 31 ರಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿ ನೀಡಿ ಅಧಿಸೂಚನೆ ಹೊರಡಿಸಿದ ನಂತರ ಸಂಬಂಧಪಟ್ಟ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಪೌರಕಾರ್ಮಿಕರುಗಳನ್ನು ನೇರವಾಗಿ ಗುತ್ತಿಗೆ ಮೇಲೆ ತೆಗೆದುಕೊಂಡು ಅವರುಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಯಿಂದ ನೇರವಾಗಿ ಸಂಭಾವನೆಯನ್ನು ಪಾವತಿಸುವುದು.
- (5) ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯವನ್ನು ಹೊರಗುತ್ತಿಗೆ ಮೂಲಕ ನಿರ್ವಹಿಸುವುದನ್ನು ಸ್ಥಗಿತಗೊಳಿಸುವುದು. ಪ್ರಸ್ತುತ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯವನ್ನು ಟೆಂಡರ್/ಒಪ್ಪಂದದ ಮುಖಾಂತರ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಗುತ್ತಿಗೆದಾರರ / ಸಂಸ್ಥೆಗಳ ಒಪ್ಪಂದವನ್ನು ಚಾಲ್ತಿ ಅವಧಿ ಮುಗಿಯುವವರೆಗೆ ಮಾತ್ರ ಮುಂದುವರಿಸುವುದು. ಪ್ರಸ್ತುತ ಗುತ್ತಿಗೆ ಅವಧಿ ಪೂರ್ಣಗೊಂಡ ನಂತರ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯವನ್ನು ಹೊರಗುತ್ತಿಗೆ ಪದ್ಧತಿಯಲ್ಲಿ ಮುಂದುವರಿಸಬಾರದು.

(6) ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಸೇರಿದಂತೆ ಎಲ್ಲ ಮಹಾನಗರಪಾಲಿಕೆಗಳು ಮತ್ತು ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಎಲ್ಲಾ ಮೂಲಗಳಿಂದ ಒಟ್ಟಾರೆ ಪೌರಕಾರ್ಮಿಕರುಗಳ ಸಂಖ್ಯೆಯನ್ನು ಪ್ರತಿ 700 ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬರಂತೆ ಸೀಮಿತಗೊಳಿಸುವುದು.

ಮೇಲೆ ಓದಲಾದ (9)ರ ದಿನಾಂಕ 29.06.2017 ರಲ್ಲಿ ಆಯುಕ್ತರು, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ರವರು ಪಾಲಿಕೆಯಲ್ಲಿ ನೇರ ನೇಮಕಾತಿ ಅಡಿಯಲ್ಲಿ ಮಂಜೂರಾದ 8000 ಹುದ್ದೆಗಳ ಪೈಕಿ 2514 ಖಾಯಂ ಪೌರಕಾರ್ಮಿಕರು ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿದ್ದು, ಪ್ರಸ್ತುತ 5486 ಹುದ್ದೆಗಳು ಖಾಲಿಯಿದ್ದು ನೇರ ನೇಮಕಾತಿಯಿಂದ ಭರ್ತಿ ಮಾಡಲು ಪರಿಗಣಿಸಬಹುದಾಗಿದೆ ಎಂದು ತಿಳಿಸಲಾಗಿದೆ.

ಮೇಲೆ ಓದಲಾದ (10)ರ ಪತ್ರದಲ್ಲಿ ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ ಇವರು ಸಲ್ಲಿಸಿರುವ ಮಾಹಿತಿಯಂತೆ ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರ ಪಾಲಿಕೆಗಳು, ನಗರಸಭೆ, ಪುರಸಭೆ ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಮಂಜೂರಾದ ಹುದ್ದೆಗಳ ಪೈಕಿ 13039 ಹುದ್ದೆಗಳನ್ನು ನೇರ ನೇಮಕಾತಿಯಿಂದ ಭರ್ತಿ ಮಾಡಬಹುದಾಗಿರುತ್ತದೆಂದು ಹಾಗೂ ಪ್ರಸ್ತುತ 7626 ಖಾಯಂ ಪೌರಕಾರ್ಮಿಕರು ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿದ್ದು 5413 ಹುದ್ದೆಗಳು ಖಾಲಿಯಿದ್ದು ನೇರ ನೇಮಕಾತಿಯಿಂದ ಭರ್ತಿ ಮಾಡಲು ಪರಿಗಣಿಸಬಹುದಾಗಿದೆ ಎಂದು ತಿಳಿಸಿರುತ್ತಾರೆ. ಈ ಸಂಬಂಧ ಆಯುಕ್ತರು, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಮತ್ತು ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ ಇವರು ಸಲ್ಲಿಸಿರುವ ಪ್ರಸ್ತಾವನೆಯಲ್ಲಿ ಈ ಕೆಳಕಂಡಂತೆ ಕರಡು ನಿಯಮಗಳನ್ನು ರಚನೆ ಮಾಡಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

- 1) ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ (ರಾಜ್ಯದ ನಗರಸಭೆ, ಪುರಸಭೆ ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಪೌರಕಾರ್ಮಿಕರ ನೇಮಕಾತಿ) (ವಿಶೇಷ) ನಿಯಮಗಳು.
- 2) ಕರ್ನಾಟಕ ಮಹಾನಗರಪಾಲಿಕೆಗಳ (ರಾಜ್ಯದ ಮಹಾನಗರಪಾಲಿಕೆಗಳಲ್ಲಿ ಪೌರಕಾರ್ಮಿಕರ ನೇಮಕಾತಿ) (ವಿಶೇಷ) ನಿಯಮಗಳು.
- 3) ಕರ್ನಾಟಕ ಮಹಾನಗರಪಾಲಿಕೆಗಳ (ಮಹಾನಗರಪಾಲಿಕೆಗಳಲ್ಲಿ ಪೌರಕಾರ್ಮಿಕರ ನೇಮಕಾತಿ) (ವಿಶೇಷ) ನಿಯಮಗಳು. (ಬಿಬಿಎಂಪಿ)

ಪ್ರಸ್ತಾವನೆ ಬಗ್ಗೆ ಆರ್ಥಿಕ ಇಲಾಖೆ, ಕಾನೂನು ಇಲಾಖೆ, ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನಾ ಇಲಾಖೆ, ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣಾ ಇಲಾಖೆ ಹಾಗೂ ಕಾರ್ಮಿಕ ಇಲಾಖೆಯ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಪಡೆದು ಪರಿಶೀಲಿಸಿದ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡಂತೆ ಆದೇಶ ಹೊರಡಿಸಿದೆ.

ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ ನಅಇ 126 ಟಿಎಂಎಸ್ 2016,

ಬೆಂಗಳೂರು, ದಿನಾಂಕ 7ನೇ ಆಗಸ್ಟ್ 2017

ಪ್ರಸ್ತಾವನೆಯಲ್ಲಿ ತಿಳಿಸಿರುವ ವಾಸ್ತವಾಂಶಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ, ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆ, ಪುರಸಭೆ ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಖಾಲಿ ಇರುವ ಪೌರಕಾರ್ಮಿಕರ ಹುದ್ದೆಗಳನ್ನು ಭರ್ತಿ ಮಾಡಲು ವಿಶೇಷ ನೇಮಕಾತಿ ನಿಯಮಗಳ ಅನುಮೋದನೆ ಮತ್ತು ಆಯಾ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಹೊರಗುತ್ತಿಗೆ ಪೌರಕಾರ್ಮಿಕರಿಗೆ ನೇರವಾಗಿ ಸಂಭಾವನೆ ಪಾವತಿಸುವ ಕುರಿತು ಈ ಕೆಳಕಂಡಂತೆ ಅನುಮೋದನೆ ನೀಡಿದೆ.



(ಅ) ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆ, ಪುರಸಭೆ ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಖಾಲಿ ಇರುವ ಪೌರಕಾರ್ಮಿಕರ ಹುದ್ದೆಗಳನ್ನು ಭರ್ತಿ ಮಾಡಲು ರಚನೆ ಮಾಡಲಾಗಿರುವ ಈ ಕೆಳಕಂಡ ನಿಯಮಗಳಿಗೆ ಅನುಮೋದನೆ ನೀಡಿದೆ.

1. ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ (ರಾಜ್ಯದ ನಗರಸಭೆ, ಪುರಸಭೆ ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಪೌರಕಾರ್ಮಿಕರ ನೇಮಕಾತಿ) (ವಿಶೇಷ) ನಿಯಮಗಳು.

2. ಕರ್ನಾಟಕ ಮಹಾನಗರಪಾಲಿಕೆಗಳ (ರಾಜ್ಯದ ಮಹಾನಗರಪಾಲಿಕೆಗಳಲ್ಲಿ ಪೌರಕಾರ್ಮಿಕರ ನೇಮಕಾತಿ) (ವಿಶೇಷ) ನಿಯಮಗಳು.

3. ಕರ್ನಾಟಕ ಮಹಾನಗರಪಾಲಿಕೆಗಳ (ಮಹಾನಗರಪಾಲಿಕೆಗಳಲ್ಲಿ ಪೌರಕಾರ್ಮಿಕರ ನೇಮಕಾತಿ) (ವಿಶೇಷ) ನಿಯಮಗಳು. (ಬಿಬಿಎಂಪಿ)

(ಆ) ಮೇಲ್ಕಂಡ ನಿಯಮಗಳಂತೆ ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆ, ಪುರಸಭೆ ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಪ್ರಸ್ತುತ ಖಾಲಿ ಇರುವ ಪೌರಕಾರ್ಮಿಕರ ಹುದ್ದೆಗಳನ್ನು ಭರ್ತಿ ಮಾಡುವುದು. ಹಾಗೂ ಪ್ರಸ್ತುತ ಕ್ಷೇಮಾಭಿವೃದ್ಧಿ, ದಿನಗೂಲಿ, ಗುತ್ತಿಗೆ, ಸಮಾನ ಕೆಲಸಕ್ಕೆ ಸಮಾನ ವೇತನ ಮತ್ತು ಹೊರಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ತಾತ್ಕಾಲಿಕ ಪೌರಕಾರ್ಮಿಕರಿಗೆ ಆದ್ಯತೆ ನೀಡುವುದು.

(ಇ) ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಸೇರಿದಂತೆ ಎಲ್ಲ ಮಹಾನಗರಪಾಲಿಕೆಗಳು ಮತ್ತು ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಎಲ್ಲಾ ಮೂಲಗಳಿಂದ ಒಟ್ಟಾರೆ ಪೌರಕಾರ್ಮಿಕರುಗಳ ಸಂಖ್ಯೆಯನ್ನು ಪ್ರತಿ 700 ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬರಂತೆ ಸೀಮಿತಗೊಳಿಸುವುದು.

(ಈ) ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯಕ್ಕಾಗಿ ಪೌರಕಾರ್ಮಿಕರನ್ನು ನೇರವಾಗಿ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳುವುದರ ಸಲುವಾಗಿ ಕಾರ್ಮಿಕ ಗುತ್ತಿಗೆ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಅಧಿನಿಯಮ, 1970ರ ಕಲಂ 31ರ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿ ನೀಡುವುದು. ಹಾಗೂ ಈ ಸಂಬಂಧ ಅಗತ್ಯ ಅಧಿಸೂಚನೆಯನ್ನು ಕಾರ್ಮಿಕ ಇಲಾಖೆಯು ಹೊರಡಿಸುವುದು.

(ಉ) ತದನಂತರ, ಹಾಲಿ ಹೊರಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ಕೆಲಸ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಪೌರಕಾರ್ಮಿಕರನ್ನು ಅಗತ್ಯಕ್ಕೆ ಅನುಗುಣವಾಗಿ, ಅಂದರೆ 700 ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬ ಪೌರಕಾರ್ಮಿಕರಂತೆ (ಖಾಯಂ ಪೌರಕಾರ್ಮಿಕರನ್ನು ಸೇರಿ) ನೇರವಾಗಿ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಂಡು, ಅವರಿಗೆ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಂದ ಸಂಭಾವನೆಯನ್ನು ನೇರವಾಗಿ ನೀಡುವುದು.

(ಊ) ರಾಜ್ಯದಲ್ಲಿನ ಮಹಾನಗರಪಾಲಿಕೆಗಳು (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ), ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯವನ್ನು ಹೊರಗುತ್ತಿಗೆ ಮೂಲಕ ನಿರ್ವಹಿಸುವುದನ್ನು ಸ್ಥಗಿತ

ಗೊಳಿಸುವುದು. ಪ್ರಸ್ತುತ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯವನ್ನು ಟೆಂಡರ್/ಒಪ್ಪಂದದ ಮುಖಾಂತರ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಗುತ್ತಿಗೆದಾರರ / ಸಂಸ್ಥೆಗಳ ಒಪ್ಪಂದವನ್ನು ಚಾಲ್ತಿ ಅವಧಿಯವರೆಗೆ ಮಾತ್ರ ಮುಂದುವರಿಸುವುದು. ತದನಂತರ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯಗಳಿಗಾಗಿ ಟೆಂಡರ್‌ನ್ನು ಮುಂದುವರಿಸುವುದಾಗಲೀ ಅಥವಾ ಮರು-ಟೆಂಡರ್ ಕರೆಯುವುದನ್ನಾಗಲೀ ಮಾಡುವಂತಿಲ್ಲ.

ದಿನಾಂಕ 12.07.2017 ರಂದು ನಡೆದ 17ನೇ ಸಚಿವ ಸಂಪುಟ ಸಭೆಯ ಪ್ರಕರಣ ಸಂಖ್ಯೆ: ಸಿ:470/2017 ರಲ್ಲಿ ಕೈಗೊಂಡ ನಿರ್ಣಯವನ್ವಯ ಈ ಆದೇಶವನ್ನು ಜಾರಿಗೊಳಿಸಲಾಗಿದೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

  
(ನಾಗರಾಜ)

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ),

ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ (ಎಂ.ಎ-2 ಮತ್ತು ಮಂಡಳಿ)  
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ಸಂಕಲನಕಾರರು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ವಿಕಾಸಸೌಧ, ಬೆಂಗಳೂರು - ಮುಂದಿನ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸುವಂತೆ ಮತ್ತು 100 ಪ್ರತಿಗಳನ್ನು ಒದಗಿಸುವಂತೆ ಕೋರಿದೆ.

ಇವರಿಗೆ,

- 1) ಆಯುಕ್ತರು, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ, ಬೆಂಗಳೂರು.
- 2) ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ, ವಿ.ವಿ.ಗೋಪುರ, ಬೆಂಗಳೂರು.
- 3) ರಾಜ್ಯದ ಎಲ್ಲಾ ಜಿಲ್ಲೆಯ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ, -
- 4) ರಾಜ್ಯದ ಎಲ್ಲಾ ಯೋಜನಾ ನಿರ್ದೇಶಕರುಗಳು, ಜಿಲ್ಲಾ ನಗರಾಭಿವೃದ್ಧಿ ಕೋಶ
- 5) ರಾಜ್ಯದ ಎಲ್ಲಾ ಮಹಾನಗರಪಾಲಿಕೆಗಳ ಆಯುಕ್ತರುಗಳು
- 6) ರಾಜ್ಯದ ಎಲ್ಲಾ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಪೌರಾಯುಕ್ತರು/ಮುಖ್ಯಾಧಿಕಾರಿಗಳು
- 7) ಅಧ್ಯಕ್ಷರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಫಾಯಿ ಕರ್ಮಚಾರಿಗಳ ಆಯೋಗ, ಬೆಂಗಳೂರು
- 8) ಅಧ್ಯಕ್ಷರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಹಾನಗರ ಪಾಲಿಕೆಗಳು, ಪುರಸಭೆಗಳ ಪೌರಕಾರ್ಮಿಕರ ಮಹಾಸಂಘ (ರಿ), ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಆವರಣ, ಮೈಸೂರು-570024.
- 9) ಪಾರದ/ಮಾಸಿಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಣೆಗಾಗಿ.
- 10) ಶಾಖಾ ರಕ್ಷಾ ಕಡತ / ಹೆಚ್ಚುವರಿ ಪ್ರತಿ.

ಪೌರಾಡಳಿತ  
ನಿರ್ದೇಶನಾಲಯದ  
ಮುಖಾಂತರ

**ಪ್ರತಿಯನ್ನು:**

- 1) ಸರ್ಕಾರದ ಮುಖ್ಯಕಾರ್ಯದರ್ಶಿರವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿ (ಸಚಿವ ಸಂಪುಟ), ವಿಧಾನಸೌಧ (ಪ್ರಕರಣ ಸಂಖ್ಯೆ: ಸಿ:470/2017)
- 2) ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಯವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿ, ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ
- 3) ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿಯವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿ, ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ.
- 4) ಸರ್ಕಾರದ ಉಪ-ಕಾರ್ಯದರ್ಶಿ-2 ರವರ ಆಪ್ತ ಸಹಾಯಕರು, ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ.



**4.3.4. LABOUR SECRETARIAT,  
NOTIFICATION: NO. LD 92 LWA  
2017, BENGALURU, DTD:  
27/10/2017 (DIRECT EMPLOYMENT  
OF PKS)**



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬೆಂಗಳೂರು ರಾಜ್ಯ ಪತ್ರ

ಭಾಗ-IVA	ಬೆಂಗಳೂರು, ಶುಕ್ರವಾರ, ಅಕ್ಟೋಬರ್ ೨೭, ೨೦೧೭ (ಕಾರ್ತಿಕ ೫, ಶಕ ವರ್ಷ ೧೯೩೯)	ನಂ. ೯೮೦
Part-IVA	Bengaluru, Friday, October 27, 2017 (Karthika 5, Shaka Varsha 1939)	No. 980

ಕಾರ್ಮಿಕ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂ. ಕಾಇ ೯೨ ಎಲ್‌ಡಬ್ಲ್ಯೂಎ ೨೦೧೭, ಬೆಂಗಳೂರು, ದಿನಾಂಕ:-27-10-2017.

ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ರಾಜ್ಯದಲ್ಲಿನ ಎಲ್ಲಾ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ ಎಲ್ಲಾ ಮಹಾನಗರಪಾಲಿಕೆಗಳು, ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯಿತಿಗಳು) ಸ್ವಚ್ಛತಾ ಕಾರ್ಯಕ್ಕಾಗಿ ಪೌರಕಾರ್ಮಿಕರನ್ನು ನೇರವಾಗಿ ಕೆಲಸಕ್ಕೆ ನೇಮಿಸಿಕೊಳ್ಳುವುದಕ್ಕಾಗಿ, ಗುತ್ತಿಗೆ ಕಾರ್ಮಿಕ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಕಾಯ್ದೆ, 1970ರ ಕಲಂ 31ರ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿ ನೀಡಲು ಅಗತ್ಯವಿರುವ ಅಧಿಸೂಚನೆಯನ್ನು ಕಾರ್ಮಿಕ ಇಲಾಖೆಯು ಹೊರಡಿಸಬೇಕೆಂದು ದಿನಾಂಕ: 12-07-2017 ರಂದು ನಡೆದ ಸಚಿವ ಸಂಪುಟ ಸಭೆಯಲ್ಲಿ ನಿರ್ಣಯಿಸಿರುತ್ತದೆ.

ಈ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಮೇಲ್ಕಂಡ ನಿರ್ಣಯದನುಸಾರ, ಗುತ್ತಿಗೆ ಕಾರ್ಮಿಕ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಕಾಯ್ದೆ, 1970ರ (ಕೇಂದ್ರೀಯ ಕಾಯ್ದೆ 37- 1970) ಕಲಂ.31ರಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಪ್ರದತ್ತವಾಗಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ರಾಜ್ಯದಲ್ಲಿನ ಎಲ್ಲಾ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ ಎಲ್ಲಾ ಮಹಾನಗರಪಾಲಿಕೆಗಳು, ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯಿತಿಗಳು) ಅನ್ವಯವಾಗುವಂತೆ ಗುತ್ತಿಗೆ ಆಧಾರದಲ್ಲಿ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯಕ್ಕಾಗಿ ತೊಡಗಿಸಿಕೊಳ್ಳಲಾಗುವ ಪೌರಕಾರ್ಮಿಕರ ಉದ್ಯೋಗಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಗುತ್ತಿಗೆ ಕಾರ್ಮಿಕ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಕಾಯ್ದೆ, 1970ರ ಪ್ರಾವಧಾನಗಳು ಹಾಗೂ ಅದರನ್ವಯ ಕರ್ನಾಟಕ ನಿಯಮಾವಳಿಗಳು ಎರಡು ವರ್ಷಗಳ ಅವಧಿಯವರೆಗೆ, ಆರು (06) ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು, ಅನ್ವಯಿಸುವುದಿಲ್ಲವೆಂದು ತೀರ್ಮಾನಿಸಿ, ಕರಡು ಅಧಿಸೂಚನೆಯನ್ನು ಪ್ರಕಟಿಸಿದ್ದು, ಈ ಕರಡು ಅಧಿಸೂಚನೆಯಿಂದ ಬಾಧಿತರಾಗುವ ವ್ಯಕ್ತಿಗಳು/ ಉದ್ಯೋಗಿಗಳು/ಉದ್ಯೋಗದಾತರು/ಕಾರ್ಮಿಕ ಸಂಘಗಳು/ ಉದ್ಯೋಗದಾತರ ಸಂಘಗಳು/ ಕಾರ್ಮಿಕ ಒಕ್ಕೂಟಗಳು/ಉದ್ಯೋಗದಾತರ ಒಕ್ಕೂಟಗಳು/ ತಮ್ಮ ಲಿಖಿತ ಹೇಳಿಕೆಗಳನ್ನು/ಆಕ್ಷೇಪಣೆಗಳನ್ನು/ಸಲಹೆಗಳನ್ನು ಈ ಕರಡು ಅಧಿಸೂಚನೆಯು ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಗೊಂಡ ದಿನಾಂಕದಿಂದ ಹದಿನೈದು (15) ದಿವಸದೊಳಗೆ ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿಗಳು, ಕರ್ನಾಟಕ ಸರ್ಕಾರ, ಕಾರ್ಮಿಕ ಇಲಾಖೆ, 4ನೇ ಮಹಡಿ, ವಿಕಾಸ ಸೌಧ, ಬೆಂಗಳೂರು-560001, ಇವರಿಗೆ ಸಲ್ಲಿಸಲು ಅವಕಾಶವನ್ನು ಸರ್ಕಾರವು ಕಲ್ಪಿಸಿರುತ್ತದೆ. ಈ ನಿಗದಿತ ಅವಧಿಯು ಮುಕ್ತಾಯಗೊಂಡ ನಂತರ ಸಲ್ಲಿಸಲಾಗುವ ಲಿಖಿತ ಹೇಳಿಕೆಗಳನ್ನು/ಆಕ್ಷೇಪಣೆಗಳನ್ನು/ಸಲಹೆಗಳನ್ನು ಸರ್ಕಾರವು ಪರಿಗಣಿಸುವುದಿಲ್ಲವೆಂದು ಕರಡು ಅಧಿಸೂಚನೆಯಲ್ಲಿ ತಿಳಿಯಪಡಿಸಿರುತ್ತದೆ.

ನಂತರ ಸಂಬಂಧಪಟ್ಟವರಿಂದ ಹದಿನೈದು (15) ದಿನದೊಳಗೆ ಆಕ್ಷೇಪಣೆ/ಸಲಹೆಗಳನ್ನು ಆಹ್ವಾನಿಸಿರುವ ಮೇಲ್ಕಂಡ ಕರಡು ಅಧಿಸೂಚನೆಯು 11ನೇ ಸೆಪ್ಟೆಂಬರ್ 2017 ರ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಗೊಂಡಿರುತ್ತದೆ. ಸಂಬಂಧಪಟ್ಟವರು ಸಲ್ಲಿಸಿರುವ ಎಲ್ಲಾ ಆಕ್ಷೇಪಣೆಗಳನ್ನು/ಸಲಹೆಗಳನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ವಿದ್ಯುಕ್ತವಾಗಿ ಪರಿಗಣಿಸಿರುತ್ತದೆ.

ಆದ್ದರಿಂದ, ಗುತ್ತಿಗೆ ಕಾರ್ಮಿಕ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಕಾಯ್ದೆ, 1970ರ (ಕೇಂದ್ರೀಯ ಕಾಯ್ದೆ 37- 1970) ಕಲಂ.31ರಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಪ್ರದತ್ತವಾಗಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯದಲ್ಲಿ ತೊಡಗಿರುವ ಪೌರಕಾರ್ಮಿಕರ ಹಕ್ಕುಗಳ ರಕ್ಷಣೆಯ ಉದ್ದೇಶದಿಂದ, ರಾಜ್ಯದಲ್ಲಿನ ಎಲ್ಲಾ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ (ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಒಳಗೊಂಡಂತೆ ಎಲ್ಲಾ ಮಹಾನಗರಪಾಲಿಕೆಗಳು, ನಗರಸಭೆಗಳು, ಪುರಸಭೆಗಳು ಮತ್ತು ಪಟ್ಟಣ ಪಂಚಾಯಿತಿಗಳು) ಅನ್ವಯವಾಗುವಂತೆ ಗುತ್ತಿಗೆ ಆಧಾರದಲ್ಲಿ ಸ್ವಚ್ಛತಾ ಕಾರ್ಯಕ್ಕಾಗಿ ತೊಡಗಿಸಿಕೊಳ್ಳಲಾಗುವ ಪೌರಕಾರ್ಮಿಕರ ಉದ್ಯೋಗಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಗುತ್ತಿಗೆ ಕಾರ್ಮಿಕ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) ಕಾಯ್ದೆ, 1970ರ ಪ್ರಾವಧಾನಗಳು ಹಾಗೂ

ಅದರನ್ವಯ ಕರ್ನಾಟಕ ನಿಯಮಾವಳಿಗಳು ಎರಡು ವರ್ಷಗಳ ಅವಧಿಯವರೆಗೆ, ಈ ಕೆಳಕಂಡ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು, ಅನ್ವಯಿಸುವುದಿಲ್ಲವೆಂದು ಈ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದೆ;

- (1) ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು, ಬ್ಯಾಂಕ್ ಮುಖಾಂತರವಾಗಿ ಅನ್ವಯವಾಗುವ ಕನಿಷ್ಠ ವೇತನ ದರಗಳನ್ವಯ ವೇತನವನ್ನು ಮುಂಬರುವ ತಿಂಗಳಿನ ಏಳನೇ ತಾರೀಖಿನೊಳಗಾಗಿ ಕಡ್ಡಾಯವಾಗಿ ಪೌರಕಾರ್ಮಿಕರಿಗೆ ಪಾವತಿಸತಕ್ಕದ್ದು.
- (2) ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಗುತ್ತಿಗೆ ಕಾರ್ಮಿಕ (ನಿಯಂತ್ರಣ ಮತ್ತು ರದ್ದತಿ) (ಕರ್ನಾಟಕ) ನಿಯಮಗಳು, 1974ರ ಉಪ ನಿಯಮ 25ರ ಖಂಡ.(V)ರ ಉಪಖಂಡ (ಎ)ರಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಲಾಗಿರುವ ಷರತ್ತುಗಳನ್ನು ಪಾಲಿಸತಕ್ಕದ್ದು.
- (3) ಈ ಮಧ್ಯೆ ಮೇಲೆ ತಿಳಿಸಿದ ಖಾಲಿ ಹುದ್ದೆಗಳಿಗೆ ಖಾಯಂ ಪೌರಕಾರ್ಮಿಕರನ್ನು ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಭರ್ತಿಗೊಳಿಸಲು ಕ್ರಮ ವಹಿಸತಕ್ಕದ್ದು.
- (4) ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಪೌರಕಾರ್ಮಿಕರಿಗೆ ಎರಡು ಜೊತೆ ಸಮವಸ್ತ್ರ, ಶೂಗಳು, ಕೈಗವಸು, ಕುಡಿಯುವ ನೀರು ಹಾಗೂ ಪ್ರಥಮ ಚಿಕಿತ್ಸೆ ಸೌಲಭ್ಯಗಳನ್ನು ಒದಗಿಸತಕ್ಕದ್ದು.
- (5) ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಪೌರಕಾರ್ಮಿಕರಿಗೆ ಈ ಕೆಳಕಂಡ ಕಾಯ್ದೆಗಳ ಪ್ರಾವಧಾನಗಳನ್ವಯ ಸಾಮಾಜಿಕ ಭದ್ರತಾ ಸೌಲಭ್ಯಗಳನ್ನು ಒದಗಿಸತಕ್ಕದ್ದು.

(ಅ) ನೌಕರರ ಭವಿಷ್ಯ ನಿಧಿ ಹಾಗೂ ಇತರೆ ಪ್ರಾವಧಾನಗಳ ಕಾಯ್ದೆ, 1952.

(ಬ) ಕಾರ್ಮಿಕರ ರಾಜ್ಯ ವಿಮಾ ಕಾಯ್ದೆ, 1948

- (6) ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಪೌರ ಕಾರ್ಮಿಕರಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಆಧಾರ್ ಸಂಖ್ಯೆ, ಸೇವಾ ವಿವರಗಳು ಬಯೋಮೆಟ್ರಿಕ್ ಹಾಜರಾತಿ ಆಧಾರದ ವೇತನ ಪಾವತಿ ಕುರಿತಂತೆ ನಿಖರವಾದ ದತ್ತಾಂಶಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

ಈ ಅಂತಿಮ ಅಧಿಸೂಚನೆಯು ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಗೊಂಡ ದಿನಾಂಕದಿಂದ ಅಧಿಕೃತವಾಗಿ ಜಾರಿಗೆ ಬರುವುದೆಂದು ಈ ಮೂಲಕ ತಿಳಿಯಪಡಿಸಿದೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ.

ಎಲ್.ಎಸ್. ಶ್ರೀಕಂಠಬಾಬು  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಕಾರ್ಮಿಕ ಇಲಾಖೆ.

## LABOUR SECRETARIAT

### NOTIFICATION

**NO: LD 92 LWA 2017, BENGALURU, DATED: 27-10-2017.**

Whereas, Government of Karnataka, have taken a decision on 12<sup>th</sup> July 2017 in the 17<sup>th</sup> Cabinet Meeting, to directly employ Pura Karmikas (PKs) for cleaning and scavenging, who are working on contract basis by all the Urban Local Bodies-ULBs (all Corporations, City Municipal Councils, Town Municipalities, Town Panchayats including the Bruhat Bengaluru Mahanagara Palike) by obtaining the exemption as laid down in Section 31 of the Contract Labour (Regulation and Abolition) Act, 1970.

Whereas in view of the above decision, while exercising the powers conferred on the State Government under Section 31 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No.37 of 1970), having regard to the need for protection of the rights of the Pura Karmikas employed on contract basis had proposed by way of a draft notification that, all the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 and Karnataka Rules framed thereunder shall not apply to all the Urban Local Bodies-ULBs (Corporations, City Municipal Councils, Town Municipalities, Town Panchayats including the Bruhat Bengaluru Mahanagara Palike) in so as far as the employment of Pura Karmikas engaged on contract basis in the processes of Sweeping and Scavenging is concerned, for a period of two (2) years, subject to six (06) conditions. In this draft notification, the concerned Persons/Employees/Employers/Trade Unions / Employers Associations

/ Federation of Trade Unions/Federation of Employer's Associations etc., who are likely to be affected by such Notification were provided an opportunity to submit their objection and/or suggestions in writing to "The Secretary to Government Department of Labour, Government of Karnataka, 4th floor, Vikasa Soudha, Bengaluru-560 001 within fifteen (15) days from the date of publication of the draft Notification in the Official Gazette. Also it was brought to the notice of all concerned through draft notification that, the suggestions and/or objections, submitted to the Competent Authority after the expiry of due date, shall not be considered by the Government of Karnataka.

The aforesaid draft notification was published in the Karnataka Gazette, on 11<sup>th</sup> September 2017 inviting objections/suggestions within fifteen (15) days from the date of notification. All the objections and suggestions which have been received are duly considered by the Government of Karnataka.

Wherefore, now in exercise of the powers conferred on the State Government under Section.31 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No.37 of 1970), having regard to the need for protection of the rights of the Poura Karmikas (PKs) employed on contract basis hereby specifies that, all the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 and Karnataka Rules framed thereunder shall not apply to all the Urban Local Bodies-ULBs (Corporations, City Municipal Councils, Town Municipalities, Town Panchayats including the Bruhat Bengaluru Mahanagara Palike) in so as far as the employment of Poura Karmikas engaged on contract basis in the processes of Sweeping and Scavenging is concerned, for a period of two (2) years, subject to the following terms and conditions, namely;

- (i) The Urban Local Bodies-ULBs shall compulsorily pay applicable minimum rates of wages through banks to all Poura Karmikas, on or before seventh day of the succeeding month.
- (ii) The ULBs shall comply with the conditions prescribed under sub-clause (a) of clause (v) of sub-rule 25 of the Contract Labour (Regulation and Abolition) (Karnataka) Rules, 1974.
- (iii) The ULBs shall fill-up in the meantime, the vacant posts of regular Poura Karmikas for the aforesaid jobs;
- (iv) The ULBs shall provide two pairs of uniforms, shoes, hand gloves, potable drinking water and first-aid facilities to all the Poura Karmikas.
- (v) The ULBs shall provide social security benefits to all the Poura Karmikas as per the provisions of the following two enactments;
  - (a) The Employees Provident Funds & Miscellaneous Provisions Act, 1952.
  - (b) The Employees State Insurance Act, 1948.
- (vi) The ULBs shall maintain a clear data-base of the Poura Karmikas such as their Aadhar Number, service details and bio-metric attendance based payments.

This notification shall come into force from the date of its publication in the Official Gazette.

By order and in the name of  
Governor of Karnataka

**L.S. SrikantaBabu**  
Deputy Secretary to Govt  
Labour Department.





## CLEAN BENGALURU

*'Namma Kasa Namma Javabdhari'*

Bruhat Bengaluru Mahanagara Palike

*This book was compiled by Sensing local ([www.sensinglocal.in](http://www.sensinglocal.in)) for BBMP.*