

# **Municipal Corporation Solid Waste (Management and Handling) Bye-Laws, 2010**

CHHATTISGARH

India

## **Municipal Corporation Solid Waste (Management and Handling) Bye-Laws, 2010**

### **Rule**

### **MUNICIPAL-CORPORATION-SOLID-WASTE-MANAGEMENT-AND-HAN of 2010**

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Municipal Corporation Solid Waste (Management and Handling) Bye-Laws, 2010Published vide Notification No. F 5-4/18/2011, dated 1st April, 2011Last Updated 10th October, 2019Notification No. F 5-4/18/2011 dated the 1st April, 2011. - In exercise of the powers conferred by Section 432-A of the Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956), the State Government hereby makes the following model bye-laws under sub-section (6) and (36) of Section 427 of the said Act, to regulate the scavenging and disposal of refuse, and charges for services by municipal authorities by the Municipal Corporations in the State, namely : -

### **1. Short title, extent and commencement.**

(1)These bye-laws may be called (name of the city.....) The Municipal Corporation Solid Waste (Management and Handling) Bye-Laws, 2010;(2)These bye-laws shall be applicable in the area covered by the administrative jurisdiction of the Municipal Corporation town of (name of the city.....) in Chhattisgarh;(3)These bye-laws shall come into force, subsequent to notification by the Government, from the date of their adoption by the Corporation under sub-section (2) of Section 432-A and/or sub-section (3) of Section 432-A of the Act, as applicable.

### **2. Definitions.**

- (A) In these bye-laws unless the context otherwise requires, -(1)"Act" means the Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956);(2)"Bio-degradable substance" means the solid waste like food, fruits, vegetables, wastes from slaughter house, meat, fish, fruit and vegetable

markets that can be degraded by micro-organisms;(3)"Bio-medical Waste" means the waste as defined in the Bio-Medical Waste (Management and Handling) Rules, 1998;(4)"Bio-medical Waste Rules" means the Bio-medical Waste (Management and Handling) Rules, 1998, framed under the Environment Protection Act, 1986 (No. 29 of 1986);(5)"Building" shall mean the same as defined in sub-section (7) of Section 5 in the Act;(6)"Collection" means door-to-door and other system(s) set by the Corporation for collection of waste from the source in a prescribed manner at prescribed periods of time;(7)"Commissioner" shall mean the same as defined in sub-section (11) of Section 5 in the Act;(8)"Corporation" shall mean the same as defined in sub-section (13) of Section 5 in the Act;(9)"Debris" means the rubble generated during construction or demolition of buildings or part of the building;(10)"Disposal" means the act of disposing off the waste generated in the house or establishment;(11)"Drain" shall mean the same as defined in sub-section (20) of Section 5 in the Act;(12)"Establishment" means any shop, transporter, mall, restaurant, lodging house, hotel, office, function halls (including open lawns used for organizing events), hostels, educational institutions, hospitals, and any other unit that generates solid waste in the course of its routine functioning;(13)"Generator of debris" means the person or establishment who owns the building under construction or the building under demolition that is generating the debris;(14)"Generator of waste" means a person or an establishment which generates waste of one or more categories described in Schedule I;(15)"Government Order" unless specified to mean otherwise, would refer to the current order issued by the State Government under Section 133-B of the Act; ,(16)"Health Officer" means the officer so designated in (name of the city ..... ) Municipal Corporation ;(17)"Household" means to dwelling units, irrespective of whether they are independent units or clustered as a colony, condominium or residential complex, and it includes any internal road or other open space forming part of the dwelling unit or the colony;(18)"Industrial waste" means the waste generated by any factory or workshop in the course of its production process.Explanation. - The municipal solid waste described in Schedule I generated by a factory or workshop will not be construed as industrial waste;(19)"Inspector" means an officer of (Name of the city.....) Municipal Corporation who is so appointed or to any officer, employee specifically assigned, by the Commissioner, the task of inspection of solid waste management practices for enforcement of the provisions contained in these bye-laws in (Name of the city.....) area;(20)"Littering" means the act of dumping garbage in bulk or in isolated bits as paper, empty pouches, empty cigarette packets, match-boxes, polythene, fruit peels or any other material in places other than inside the designated public garbage bin placed for the purpose.Explanation. - Throwing waste towards a public garbage bin so that it falls, intentionally or unintentionally outside the bin, will be construed as littering;(21)"Mohalla Samiti" means the Committee formed in accordance with Section 48-B of the Act and the rules made thereunder;(22)"Municipal Solid Waste" means the waste as defined in Municipal Solid Wastes (Management and Handling) Rules, 2000 framed under the Environment (Protection) Act, 1986 (No. 29 of 1986);(23)"Person" means any individual who, in the case of domestic waste, would mean the head of the family and in the case of establishment would mean the owner/occupier/keeper, individually and severally and in the case of Government offices would mean the head of the office unless another officer or employee has been specifically assigned the task of housekeeping and disposal of solid waste ;(24)"Public Place" shall mean the same as defined in sub-section (47) of Section 5 in the Act;(25)"Recyclable Waste" means such material that can be used for recycling as defined in Municipal Solid Wastes (Management and Handling) Rules, 2000 framed under the Environment Protection Act, 1986 (No. 29 of

1986);(26)"Segregation" means the act as defined in Municipal Solid Wastes (Management and Handling) Rules, 2000 framed under the Environment Protection Act, 1986 (No. 29 of 1986);(27)"Source" means the point at house or in any establishment at which waste is ready to be disposed off;(28)"Storage" means the practice of storage as defined in Municipal Solid Wastes (Management and Handling) Rules, 2000 framed under the Environment Protection Act, 1986 (No. 29 of 1986);(29)"Street" shall mean the same as defined in sub-section (55) of Section 5 in the Act;(30)"Waste" means any or all kinds of solid waste described in bye-law 7 and/or Schedule I and shall include, if the context so demands, rubbish and offensive matter;(31)"Ward Samiti" means the Committee formed in terms of section 48-A of the Act and the rules made thereunder;(32)"Waste Collector" means the man or woman or agency appointed by the Corporation to collect waste at source;(B)Words and terms not defined here shall have the same meaning as in the Act.

### **3. Bye-laws to Supersede all earlier rules and bye-laws.**

(1)These bye-laws supersede any rule or bye-laws or order issued under the Act by any authority in the past that relates to management and handling of municipal solid waste.(2)Notwithstanding anything contained in clause (1), the validity of any action taken under any such rule or bye-laws or order issued under the Act in force at the material time shall remain unaffected by these bye-laws.

### **4. Appointment of Inspectors and their powers and duties.**

(1)To achieve the purposes of these bye-laws, the Commissioner shall appoint from among the Municipal Officers, Inspectors in such numbers as he may deem necessary and assign to them specific area for supervision;Explanation. - The Inspectors may be either regular Inspectors or officials with additional charge.(2)The Inspectors appointed under Clause (1) shall ensure effective enforcement of these bye-laws in the area assigned to them.(3)Without prejudice to the generality of Clause (2), the Inspectors shall have the following powers and shall perform the following duties, -(a)Ensure that the Waste Collectors have been appointed in sufficient numbers.(b)Ensure that the Waste Collectors perform their tasks regularly and satisfactorily.(c)Ensure that bins in sufficient numbers are placed in streets and public places.(d)Ensure timely collection of charges, penalties and other dues from all generators of waste.(e)Locate and book persons who breach the provisions of these bye-laws and impose upon them penalties and punishment as prescribed.(f)Enter and inspect any establishment or premises or factory or workshop to achieve the purposes of these bye-laws.(g)Receive requests from persons under bye-law 8 and take suitable action thereon to ensure lifting, transportation and final disposal of debris.(h)To ensure compliance of the provisions of these bye-laws with regard to disposal of industrial waste.(i)Ensure transportation and final disposal of wastes collected by the waste collectors, in accordance with the provisions and procedure contained in the Environment (Protection) Act, 1986 and the Rules framed thereunder.

### **5. Appeal.**

(1)Any person aggrieved by any order or action of the Inspector may appeal before the Health Officer.(2)Any person aggrieved by any order or action of the Health Officer may appeal before the Commissioner.(3)No appeal shall be entertained under clause (1) or (2) unless the penalty imposed

by the Inspector has been paid in the manner prescribed.(4)After a summary hearing of both sides, the authority hearing appeal may, after recording reasons for doing so, reduce or annul the penalty imposed by the Inspector and order refund of the same.

## **6. Disposal of Solid Waste in breach of the bye-laws to be an Offence.**

- From the date these bye-laws come into force, disposal of solid waste in any manner other than as prescribed herein shall constitute an offence.

## **7. Segregation and storage of solid waste.**

(1)Every generator of waste shall at source, segregate the municipal solid wastes into the groups of organic, inorganic, recyclables and hazardous wastes.Explanation. - Schedule-1 provides examples of each category of the waste. The lists are illustrative and not exhaustive.(2)Each of the types of waste described in clause (1), shall be stored in a separate bin and handed over to the waste collector at the source.(3)The generator of waste shall ensure that the storage should not overflow with the waste at source and should not be exposed to attract vectors and to emit foul odour.(4)The generator of waste shall ensure that liquid waste is not mixed with solid waste.

## **8. Disposal of debris.**

(1)The generator of debris shall, at least twenty-four hours before generating debris, inform in writing or any other prescribed mode, the designated person indicating the approximate time and quantity of debris expected to be generated and requesting for its disposal.Explanation. - If an agency has been appointed by the Corporation for collection and disposal of debris, the term 'designated person' refers to the person manning the Call Centre of Helpline set up by an agency for the purpose of collecting and recording such information from the citizens for disposal of debris. In all other cases, it shall refer to the Inspector.(2)Information under clause (1) above shall be accompanied by copy evidencing payment of debris disposal charges computed as per the current Schedule for disposal of debris prescribed by the Corporation :Provided, however, that where an agency has been appointed for management and handling of debris, the agency may adopt alternate modes for collection of the debris, handling and transportation charges as may be fixed by the Corporation from time to time.(3)Upon receipt of information under clause (1) accompanied by evidence of payment of charges under clause (2), the agency or the Inspector, as the case may be, shall organize forthwith for disposal of the debris :Provided, that the generator of debris, after he has informed the Inspector under clause (1) paid debris disposal charges under clause (2) shall not be liable for any delay on the part of the Inspector or the agency in disposal of the debris.(4)Notwithstanding anything contained in clause (1), (2) and (3) above, if the generator of debris desires to transport the debris himself and if the plan for such disposal is acceptable to the Commissioner, a grace period of 24 hours may be allowed to enable him to dispose off the debris.(5)If the generator of debris desires to store the debris for own use in the same building, he may do so by paying holding @ Rs. 100/- per truck-load per day into the Ward Samiti/Mohalla Samiti account, subject to a minimum of Rs. 1000/-.Explanation. - For the purpose of this clause the term 'truck load' shall correspond to ten metric tons of debris.

## **9. Disposal of industrial waste.**

- Industrial waste shall be disposed off by the owner/occupier/keeper in ongoing manner as may be prescribed specifically for the industry as a unit or as a class by the Corporation or Chhattisgarh Environment Conservation Board or any other authority competent under any law in force.

## **10. Disposal of bio-medical waste.**

- Bio-medical waste shall be disposed of only according to the provisions and procedures contained in the Bio-Medical (Management and Handling) Rules, 1998 framed under the Environment (Protection) Act, 1986 (No. 29 of 1986) and not mixed with Municipal solid waste.

## **11. Littering and spitting in public places and streets an offence.**

- Any person who spits or litters or causes to be littered, waste in public places and streets commits an offence under these bye-laws and shall be liable for punishment accordingly.

## **12. Filth of domestic/pet animals to be cleaned by owners.**

- An person who allows his domestic/pet animals to defecate on roads and/or in public places and fails to forthwith scoop up the filth for proper disposal, commits an offence under these bye-laws and shall become liable for penalty.

## **13. Defecation in public places an offence.**

- Defecating or causing defecation by children in street, drain or any public place other than private or public toilets shall constitute an offence under these bye-laws and attract penalty.

## **14. Burning of waste an offence.**

- Burning of waste whether in private or in public place shall constitute an offence under these bye-laws.

## **15. Payment of service charge.**

(1) Every generator of waste shall be liable to pay Service Charge according to rates prescribed in Schedule II for different categories of waste and for different classes of persons. (2) The Service Charge/Tax/Sanitary Cess shall be paid to a person authorised for the purpose and in a manner as may be prescribed by the Corporation and announced by it. (3) The Service Charge/Tax/Sanitary Cess according to rates prescribed shall be payable in advance for the month not later than the 10th day. (4) No person shall withhold or refuse to pay the Service Charge/Tax/Sanitary Cess according to rates prescribed or make any deduction therefrom alleging deficiency in service on the part of the waste collector and/or the Corporation.

## **16. Fines and penalties for offences.**

(1) Any person who breaches the provisions of these bye-laws shall be liable to pay penalty in terms of Section 428 of the Act. (2) Any person who refuses to pay the penalty imposed under clause (1) or otherwise obstructs the exercise of powers by Inspector and other Municipal authorities required by the Commissioner to enforce these bye-laws, shall become liable to pay penalty under Section 437 of the Act. (3) The Penalties imposed under clause (1) and/or clause (2) shall be without prejudice to any penalty or punishment or fine under the Environment (Protection) Act, 1986, and/or the rules made thereunder and amended from time to time.

## **17. Recovery of fines, charges other dues.**

- The fines, charges and other dues recoverable under these bye-laws, if not paid promptly, shall be recovered as Corporation claims under Chapter XII of the Act.

## **18. Role of Mohalla Samities and Ward Samities.**

(1) Ward Samities/Mohalla Samities, as may be decided by the Commissioner, shall have the role of overall supervision and such other tasks as the Government or the Corporation may require of them to ensure effective implementation of these bye-laws in the area under their jurisdiction. (2) Notwithstanding the generality of anything contained in clause (1), the Ward Samities/Mohalla Samities shall do the following : - (a) to conduct door-to-door campaigns and workshops to propagate among the residents the purpose of these bye-laws; (b) to advise and admonish those that attempt to breach these bye-laws and, if milder methods and sage advice fails, to cause firm action against offenders in accordance with the provisions contained in these bye-laws and the Act and any other law in force; (c) to impose, collect and receive into the Mohalla Samiti/Ward Samiti account penalties/fines due under bye-law 16 and according to Schedule III in the manner and to the extent permitted by the Corporation and to issue proper receipts for such collections ; Provided, however, that wherever, in the opinion of the Commissioner, it does not appear to be in general public interest for any reason whatsoever to assign to the Mohalla Samiti/Ward Samitis the task of imposing and collecting fines/penalties under the above clause, the Commissioner may make alternate arrangements for direct imposing, collecting and receiving of fines/penalties by the servants of the Corporation specifically authorized for the purpose. (d) to spend from the penalty/fine collected under sub-clause (c) amounts for achieving the purpose of these bye-laws. (e) to maintain a proper record of all monies received and all monies as spent and to submit the statement of receipts and expenditure to the Corporation in such manner and at the such intervals of time as the Government or the Corporation may prescribe from time to time. (f) to conduct competitions to recognize and reward citizens, colonies, establishments, streets that comply best with the objects of these bye-laws; (g) to Promote good practices related to solid waste management among citizens, households and establishment; (h) to support the Inspector in the discharge of his duties; (i) to support the Corporation and the agency appointed by it for solid waste management to perform its task well. (j) to generally oversee the work of the agency appointed by the Corporation for solid waste management and to report failings, if any, to the Commissioner for appropriate action against the agency in accordance with the Concession Agreement or contract, as

the case may be. Explanation. - Concession Agreement refers to the agreement between the Corporation and the private agency where the management and handling of municipal solid waste is done under a model of public-private partnership. (k) to provide a forum for receiving suggestions and grievances from citizens and for taking appropriate further action thereon and to maintain a record of such suggestions and grievances received and action taken thereon.

## 19. Grievance redressal mechanism.

(1) Any person having any general grievance related to the solid waste management as being practiced may submit it orally or in writing to the Mohalla Samiti/Ward Samiti. (2) The Mohalla Samiti/Ward Samiti shall, to the extent possible, redress the grievance received under clause (1). If however, it finds the matter beyond its capacity or powers, it shall bring the matter in writing before the Commissioner with its recommendation. (3) On receipt of the grievance and recommendation from the Mohalla Samiti/Ward Samiti under clause (2), the Commissioner shall take appropriate measures to redress the grievance. (4) The Commissioner shall, through a general or special system, maintain proper record of all grievances received from Mohalla Samiti/Ward Samities and/or general citizens and action taken thereon, and shall publish the same for general public information under the provisions in the Act for public disclosure of information.

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[See bye-law 8(1) Explanation]

## of Waste

Bio-degradable Waste	Recyclable Waste and/or Non-bio-degradable waste	Hazardous Waste
(1)	(2)	(3)
All Kinds of cooked/uncooked food items which includes eggshells and bones.	Paper and plastic of every kind.	Aerosol Can
Peel of fruits and vegetables, botanical waste from domestic garden.	Card board, cartons and carton board of every kind.	Button Cell, Flashlight/Transistor/Car Battery.
Sweeping of the domestic broom.	All kinds of packing material.	Bleaching Material, material used for cleaning kitchen, drains etc.
Sanitary Napkins	All kinds of tin other than hazardous.	Oil filter and car protection materials.
Infant and adult diapers	All kinds of glass, metal, rubber and wood.	Chemicals, cosmetics and the containers of these materials.
Wastes from fruit, vegetable and fish markets and from	Files, packets, tetra-pack, cassette, computer diskette, electronic	Injection syringe, needles, expired drugs and medicines,

slaughter houses and  
butcheries.

components, fabric shreds,  
furniture etc.

pesticides and their cans.

Electric bulbs, tube lights and  
fluorescentbulb, thermometer  
and other items containing  
mercury.

Paint, oil, resins, thinner, and  
their cans, chemicals involved  
in photography.

## II

[See bye-law 15]

### of Service Charge

Sl. No.(1)	Generator Waste(2)	Service Charge(3)	Explanation(4)
1.	Households		
	Plinth Area < 500 sft.	Rs. 20/- per month	
	Plinth Area 501-750 sft.	Rs. 30/- per month	
	Plinth Area 751-1000 sft.	Rs. 50/- per month	
	Plinth Area > 1000 sft.	Rs. 100/- per month	
2.	Restaurant		
	Customer Chairs < 25	Rs. 500/- per month	Eateries where no customer chairs are involved are covered under this category.
	Customer Chairs 26-50	Rs. 1000/- per month	
	Customer Chairs > 50	Rs. 1500/- per month	
3.	Hotel/Lodge/Guest House		
Charges : (Rs. per month)			
Basic	Room	Per Restaurant	Per Garden Per Banquet Hall
< 25 rooms	1000	1000	500 500
25-50 rooms	5000	4000	3000 3000
> 50 rooms	15,000	5000	5000 5000
4.	Dharamshala		



	Per Room	Rs. 10/-per month	
	Per Hall	Rs. 200/- per month	
5.	Barat Ghar	Rs. 10,000/- per month	
6.	Educational Institutions Primary School(Government)	Rs. 250/- per month	
	Primary School (Private)	Rs. 500/- per month	
	High/Hr Sec School (Govt.)	Rs. 2500/- per month	
	High/Hr Sec School (Private)	Rs. 5000/- per month	
	College	Rs. 2000/- per month	
	University	Rs. 5000/- per month	
	Other Educational Institutions.	Rs. 1000/- per month	
7.	Hospital/Nursing Home (for waste other thanbiomedical waste)		
	Beds < 20	Rs. 5000/- per month	For Government Health Centres and hospitals, thecharges will be 50% for each category.
	Beds 21-100	Rs. 7500/- per month	
	Beds >100	Rs. 10000/-per month	
8.	Clinic	Rs. 500/- per month	
	Pathology Lab	Rs. 1500/-per month	
9.	Commercial Establishments		
	Floor Area < 100 sft.	Rs. 100/- per month	For vendors, a flat charge of Rs. 20/- per monthwill be charged.

	Floor Area 101-300 sft.	Rs. 300/- per month	
	Floor Area 301-500 sft.	Rs. 750/- per month	
	Floor Area > 500 sft.	Rs. 1500/- per month	
	Shopping Malls	Rs. 1.50 per sft/per month	
10.	Vegetable/Fruits/Flowers/Fish/Poultry/Meat Market Trucks that come for loading/unloading of vegetables/fruits/flowers.	Rs. 75/- per LCV	Charges will be levied separately for loading and for unloading.
	Rs. 100/- per truck		
	Floor Area < 100 sft.	Rs. 150/- per month	For vendors, a flat charge of Rs. 30/- per month will be charged.
	Floor Area 101-300 sft.	Rs. 450/- per month	
	Floor Area 301 -500 sft.	Rs. 1125/- per month	
	Floor Area > 500 sft.	Rs. 2250/- per month	
11.	Beauty Parlours	Rs. 500/- per month	
12.	Cinema Theatre	Rs. 1,000/- per month	
13.	Amusement Parks	Rs. 10,000/- per month	
14.	Residential Schools	Rs. 2000/- per month	
15.	Circus/Exhibitions/Fairs/Social Events in open space.	Rs. 2,000/- per day	

### III

[under Section 428 (1) (a) of the Act]

## of Penalties for Various Offences

S. No. (1)	Bye-law Reference (2)	Offence (3)	Penalty for 1st Offence (4)	Penalty for repeat of offence (5)
1	7(1)	Non-segregation of waste at source.	Rs. 100/-	Every day the offence will be deemed to be fresh offence.
2.	7(2)	Waste is stored in exposed condition.	Rs. 100/-	Every day the offence will be deemed to be fresh offence.
3.	7(3)	Waste overflows from the bin.	Rs. 100/-	Every day the offence will be deemed to be fresh offence.
4.	7(4)	Solid waste is mixed with liquid waste.	Rs. 100/-	Every day the offence will be deemed to be fresh offence.
5.	8(1)	Generator of debris fails to inform the Inspector, or the agency, as the case may be, as required (with payment) in time, leading to pile up of debris.	Rs. 500/-	Rs. 10/- per day for every day the offence continues.
6.	8(1) & (2)	Debris actually generated is more than 50% of quantity informed/payment made.	Rs. 500/-	
7.	9	Industrial waste is disposed off in violation of bye-laws.	Rs. 500/-	Every day the offence will be deemed to be fresh offence.
8.	11	Littering or causing to litter waste on roads and/or in public places.	Rs. 500/-	Every day the offence will be deemed to be fresh offence.
9.	12	Allowing domestic/pets to defecate or throw dung on roads or in public places.	Rs. 500/-	Every day the offence will be deemed to be fresh offence.
10.	13	Defecation or causing defecation by children on roads, in drains or in public place.	Rs. 10/-	Every day the offence will be deemed to be fresh offence.
11.	14	Burning of waste whether in private or in public places.	Rs. 50/-	Every day the offence will be deemed to be fresh offence.

12.	15(4)	Withholding or refusal to pay service charges or penalties as and when due.	Rs. 500/-	Rs. 10/- per day for every day the offence continues.
13.	16(1)	Any breach of bye-laws not covered above.	Rs. 500/-	Rs. 10/- per day for every day the offence continues.