

Sikkim Non-Biodegradable Garbage (Control) Rules, 2000

SIKKIM

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Rule

SIKKIM-NON-BIODEGRADABLE-GARBAGE-CONTROL-RULES-2000 of 2000

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Sikkim Non-Biodegradable Garbage (Control) Rules, 2000 Last Updated 18th February, 2020

1. Short title and commencement.

(1) These rules may be called the Sikkim Non-Biodegradable Garbage (Control) Rules, 2000 (2) They shall come into force on such date as the State Government may by notification, appoint.

2. Definitions.

(1) In these rules, unless the context otherwise requires:-(a) "Act" means the Sikkim Non-Biodegradable Garbage (Control) Act, 1997; (b) "Bio-Degradable Garbage" means the wastes or garbage as defined in the section 2 (a) of the Act; (c) "Bio-medical/clinical waste" means the waste generated in the hospitals, dispensaries, private clinics, laboratories and slaughter houses and shall include:-(i) Human or animal anatomical wastes; (ii) Blood, body fluids and blood soaked bandages; (iii) Microbiological wastes; (iv) Discarded medicines; (v) Disposable, wastes sharps (needles, syringes, scalpel blades); (vi) Highly infectious wastes; (vii) Slaughter house wastes; (viii) Incineration wastes (ash from incineration of any bio-medical waste); (ix) Bio-technological waste; (d) "Community bins" means a bin having separate compartment for depositing bio-degradable and non-biodegradable waste/garbage by house-holds in particular locality in consultation with the garbage management committee. (e) "Garbage management committee" means the garbage/waste management committee constituted under rule 4 of these rules. (f) "Garbage management zone" the Zone constituted under rule 3. (g) "Local authority" means the local authority as defined in section 2 (c) of the Act. (h) "Non-biodegradable garbage" means the wastes or garbage as defined in section 2 (e) of the Act and Schedule I appended to these

rules.(i)"Section" means the section of the Act;(j)"State Government" means the Government of Sikkim;(2)Words and expressions used in these rules but not defined therein shall have the same meaning as have been assigned to them under the Act.

3. Garbage Management Zone.

(1)The Local authority shall divide the area falling within its territorial jurisdiction into garbage collection/garbage management zone for the purposes of scavenging and clearing the garbage.(2)Every Garbage management zone set up under sub-rule (1) shall be under the charge of the local authority, or Secretary, Urban Development and Housing Department and such other officers as may be authorized by him.

4. Garbage waste management committee and its function.

(1)A garbage management committee shall be constituted to assist and devise the means for the efficient collection and disposal of the garbage Management zone set up under sub-rule (1) of rule 3, which shall comprise of:(a)The Public representative of the area;(b)Two responsible persons of the locality;(c)The Deputy Secretary/Bazaar Officer of the respective area/Sanitary Inspector of the Urban Development and Housing Department.(2)The functions of the garbage management committee constituted under sub-rule (1) shall be to render assistance to the local authority for;(a)Selection or earmarking the places where public receptacles are to be provided for temporary deposit of garbage/waste generated from various sources in the garbage management zone;(b)Fixation of intervals, within which the contents of receptacles, deposit and accumulation at all places designated under rule 4 may be removed/ cleared;(c)Providing safeguards to be taken while depositing the garbage/waste in public receptacles/dustbins and its removal to dumping ground or the places fixed for its bio-conversion, during incineration or recycling;(d)Arranging awareness programmes to ensure reduction, reuse and recycling of garbage/waste;(e)Encouraging residents for the area to explore the social and economic feasibility or separation of household waste at the source for its reuse and recycling; and(f)Devising steps to be taken for the maintenance of ecology and reduction of environmental pollution in the area.

5. Public garbage receptacles/dustbins.

(1)The local authority in consultation with the garbage management committee constituted under rule 4, shall for temporary deposit or collection of non-biodegradable garbage/waste generated in the area, provide for placing in proper places and convenient locations, separate receptacles dustbins (other than those kept and maintained for deposit of bio-degradable garbage).(2)The hospitals, dispensaries, private clinics, laboratories and slaughter houses, or any individual or industry or organization or Department generating non-biodegradable waste shall provide at their own cost and places at convenient locations separate receptacles/garbage bins within their compound or otherwise for the collection and deposit of garbage and bio-medical/clinical waste generated therefrom who shall make their won arrangements for dumping or incineration of such wastes.(3)The Government departments or organization or institutions not generating non-biodegradable waste shall provide respective receptacles at their own cost within their

compounds for temporary deposit or waste/garbage.(4)The Agency or contract or individual undertaking any construction shall provide necessary receptacles at their own cost for bio-degradable and non-biodegradable waste in their respective works sites with the permission of the local authority.(5)The local authority in consultation with the garbage management committee referred to in rule 4, and the garbage management zone concerned referred to in rule 3, shall identify the location for installation of community bins for initial transfer of garbage/waste from the households to facilitate them for further removal to the disposal/conversion site. While providing/placing the receptacles and garbage bins under these rules, due precaution should be taken to ensure that these are kept beyond the approach reach of dogs and stray animals.(6)Every household whether residing in his own house/building or in Government quarters or private buildings as tenants or anyone living in any shed or tenement shall keep separate bins for collection of bio-degradable and non-biodegradable waste/garbage.(7)Every place of entertainment, or worship, or non-family residences, like cinema halls, video parlours, stadium, gymnasium, lodges, hotels, guest houses, temples, monasteries, mosques, churches, parks, automobile stands, etc. shall install/place separate bins for the collection of biodegradable wastes.(8)Every building having two or more floors should have an inbuilt separate garbage chutes for disposal of biodegradable and non-biodegradable garbage/waste for disposal by its occupants.

6. Colour of and inscription on receptacles/garbage bins.

- The public receptacles and garbage bins shall be painted in different colours and shall carry the inscriptions as under:-
(1)Bio-degradable-in green with the inscription "For bio-degradable waste only".
(2)Non-biodegradable-in black with the inscription "For Non-biodegradable wastes only".
(3)Bio-medical/clinical waste- in yellow with the inscription "For Bio-medical/clinical waste only".

7. Safeguards to be taken by owners and occupants for deposit garbage/waste generated from their building and lands.

- The owners and occupants of all lands and buildings shall collect or cause to be collected the garbage/waste generated from their respective lands/buildings and store it or be stored in community bins provided under rule 5, for temporary deposit or collection of garbage by the local authority ensuring that:-
(a)The garbage is stored in a location designated by the local authority in consultation with the garbage management committee.
(b)The garbage is placed in a garbage receptacle/garbage bins;
(c)The bio-degradable garbage is deposited in the receptacles/garbage bin/dumper designated for that purpose; and
(d)The Non-Biodegradable garbage is not mixed with the bio-degradable or bio-medical/clinical waste and is deposited in the receptacles/garbage bin designated for that purpose.
(e)The garbage found littered or deposited within half of the segment of the houses will be presumed that the garbage is thrown by the occupants of that vicinity.

8. Prohibition of throwing waste.

- No person, himself or through another, shall knowingly or otherwise:-
(a)Throw or cause to be

thrown any bio-degradable garbage, non-bio-degradable garbage or bio-medical clinical garbage in a place other than the garbage receptacle/garbage bin designated for the purpose under rule 6 and(b)Mix the bio-medical/clinical waste with bio-designated garbage and non-biodegradable garbage

9. Litter control.

- The local authority may/shall order to clean up any non-Biodegradable litter which has been disposed off contrary to the provision of the Act and these rules.

10. Disposal of garbage/waste.

(1)The garbage/waste generated from various sources and deposited in the community bins, provided under rule 6, shall be collected and removed, by the local authority either through its employee or through private agencies engaged by it for this purpose, to the dumping grounds of suitable disposal sites.(2)The non-biodegradable garbage other than the bio-medical/clinical waste, whether comprised of bio-degradable garbage or non-biodegradable garbage collected from receptacles/garbage bins and carried to dumping grounds or disposal sites under sub-rule (1) shall be further carried to the recycling centers arranged by the Government.(3)Subject to the provision contained in any other law for the time being in force, and the terms and condition which may be imposed by a local authority the persons responsible for the management of a hospital, dispensary, clinic, laboratory and slaughter house, shall dispose of the bio-medical/clinical waste (including other garbage generated therefrom) by the process of incineration or other non-incineration technology.Provided that where incineration facilities are not available or economically viable, the local authority, shall in the absence of the agreement to the contrary, arrange for the removal and disposal of the bio-medical/clinical waste by the process of incineration or other non-incineration technology.(4)Subject to sub-rule (3), the bio-degradable garbage shall not got disposed of by the local authority as it may deem fit, by the process of bio-conservation, dumping or incineration or any other scientific method.(5)Each site for bio-conversion, dumping and processing of the garbage/waste generated from all sources within the State of the local authority should be located at suitable place arranged by the authority at sufficient distance from the residential habitats.

11. Power to entry inspect or execute work.

(1)For the purpose of implementation of the provision of these rules, any citizen, an officer or employee of the local authority or the members of the garbage management committee constituted under rule 4, may, at any reasonable time do all or any of the following:-(a)To enter and inspect any place to undertaken inquiries to determine:-(i)The extent, if any, to which a garbage may cause, or is causing or has caused any adverse affect;(ii)The cause of any adverse effect that may occur or is occurring or has occurred;(iii)How an adverse effect may be prevented, eliminated, reduced or ameliorated and the environment conserved or reclaimed:(b)To enter and inspect any place in which such officer or employee or member, as the case may be, reasonably believes that the waste can be found.(2)When such officer, employee or member, as the case may be, reason able believes that any garbage/waste may release or is releasing or has released into the environment or a place

open to public view, or that garbage/waste may cause or is causing or has caused any adverse effect, require the person having charge, management or control of the garbage/waste to remove the garbage/waste or cause it to be removed from where it is found and deposited in a place designated for that purpose under rule 6.(3)No entry in any private premises under sub-rule (1) shall be made after the sun-set and before the sunrise.

12. Assistance to officers.

- The owner or every person found in any place in respect of which an officer or employee of the local authority of the member of the garbage management committee constituted under rule 4 is exercising powers and carrying out duties under the Act and these rule shall:-(a)Give sun officer, employee or member all reasonable assistance to enable him to exercise those powers and carry out those duties;(b)Furnish all information related to exercising of those power and carrying out those duties that such officer, employee or member may reasonably require.

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(See rule 2(e)Non-Biodegradable Garbage

1. Polyethylene.

2. Nylon.

3. Polyvinyl.

4. Poly-Propylene.

5. Poly-styrene.

6. Poly-pipe.

7. Porcelain.

8. Glass.

9. All Plastic items (domestic and non-domestic items)

10. Syringe (both metal and non-metal)

- 11. Cement.**
- 12. Metals (domestic and non-domestic items).**
- 13. Ceramic items.**
- 14. Bakelite products.**
- 15. Steel/Iron (domestic and non-domestic items.)**
- 16. Photographic films.**
- 17. Colour with plastic base.**
- 18. Batteries of all kind.**
- 19. Any other non-biodegradable items not covered by the above.**