

Delhi Water Board Septage Management Regulations 2018

DELHI

India

The Delhi Water Board Act, 1998

Delhi Water Board Septage Management Regulations 2018

Regulation 16 of 2018

- Published in Delhi Gazette on 12 November 2018
- Not commenced
- [This is the version of this document from 12 November 2018.]

No.16(712)/UD/W/2018/1592.—In exercise of powers conferred by Section 109 of the Delhi Water Board Act, (Act No. 4 of 1998), the Board hereby makes the following Regulations, for collection, transportation and disposal of waste of septic tanks (septage) and for matters connected therewith and incidental or ancillary thereto namely -

Chapter 1

Preliminary

1. Short - Titles and Commencements:

- (i)These Regulations may be called ‘Delhi Water Board Septage Management Regulations 2018’(ii)These Regulations shall come into force on the date their publication in the Delhi Gazette.

2. Definitions:

(i)‘Act’ means the Delhi Water Board Act, 1998 (Delhi Act No. 4 of 1998);(ii)‘Board’ means the Board as defined in the Act;(iii)‘CEO’ means the Chief Executive Officer of the Board;(iv)‘Cleaning’ means removal of septage;(v)‘Committee’ means the Septage Management Committee constituted in each District headed by the District Magistrate; the Members of the Committee may be co-opted by the District Magistrate from Government Departments, Public Undertakings, Municipalities etc. including Delhi Jal Board.(vi)‘Designated Officer(s)’ means an officer of Delhi Jal Board authorized by Chief Executive Officer to issue license or any other work assigned to him;(vii)‘Disposal’ means transfer of septage to a designated location;(viii)‘District Magistrate’ means the District Magistrate of the area appointed by the Government. of National Capital Territory of Delhi and authorized to ensure the enforcement as well as compliance of these Regulations. He/she shall head the Committee constituted for enforcement and compliance of these Regulations;(ix)“Drain” means as

board as defined in the act.(x)“License” means a written permission granted for this purpose to any person, Government. department, public undertaking, local bodies, firm, company registered under the Indian Companies Act, Associations, Society registered under Society Registration Act-1860 etc. intend to carry out the services of septage management having mentioned the purpose, period, name and address, route etc. under the signature of the authorized signatory of the Delhi Jal Board;(xi)“Licensee” means any person /department /agency firm holding license.(xii)‘Licensed vehicle’ means a registered vehicle carrying valid license for cleaning, disposal and transportation of septage;(xiii)“Manhole” means an opening through which a man may enter or leave a sewer or other closed structure for inspection, cleaning and other maintenance operations, fitted with a suitable cover;(xiv)‘Member Secretary’ means Secretary of the Committee nominated by the Chief Executive Officer, Delhi Jal Board;(xv)“Notified location” means the location of delivery and disposal of septage, as defined and earmarked by Delhi Jal Board.xvi) ‘IN PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS AND THEIR REHABILITATION Act-2013’ means Prohibition of Employment as Manual Scavenger and their Rehabilitation Act-2013 and Rules made there under.(xvii)‘Penalty’ means financial punishment imposed for violation of these Regulations.(xviii)“Registered Vehicle’ means a vehicle duly registered by the Transport Authority of the State to perform the designated purpose;(xix)“Septage” means fecal sludge produced in septic tanks;(xx)“Septic-Tank” An underground tank that treats wastewater by a combination of solids settling and anaerobic digestion. The effluents may be discharged into soak pits or small bore sewers and the solids have to be pumped out periodically.(xxi)“Sewers” means conduits provided for the purposes of carrying the liquid wastes of the community, otherwise known as sewage or sludge.(xxii)“Sewage Pumping Station (SPS)” means the pump-house of Delhi Jal Board from where Sewage is pumped to a desired location.(xxiii)“Sewage Treatment Plant (STP)” means the place where Sewage is treated by Delhi Jal Board.(xxiv)“Sludge” means the settled solid-matter in semi-solid condition, it is usually a mixture of solids and water deposited at the bottom of Septic-tank, ponds etc. The term sewage- sludge is generally used to describe residuals from centralized waste water treatment while the term Septage is used to describe the residual from septic tank.(xxv)‘Transportation’ means safe transfer of septage through licensed vehicle from the place of work to the designated disposal location;(xxvi)“Treatment” means any Technical method or process Design to alter the physical, chemical or biological and radiological character or composition of any waste or waste water to reduced or prevent pollutions.(xxvii)‘Vendor(s)’ means the person/entities that have been granted license by the Designated Officer of Delhi Jal Board.(xxviii)‘Worker(s)’ means any person engaged by the Vender(s) for removal, transportation and disposal of septage. All other words and expressions used in these Regulations and not defined in these regulations and not defined herein above but defined in the Act or any other law for the time being in force shall have the meaning respectively assigned to them under the Act or law and in absence thereof, the meaning as commonly understood in the water supply and sewage treatment / disposal industry.

Chapter 2

LICENSE FOR COLLECTION AND TRANSPORTATION OF SEPTAGE

3. License to be issued by the Delhi Jal Board.

Designated officer(s) of Delhi Jal Board will issue License for Collection and Transportation of Septage to notified locations.(i)License will be issued in the format, prescribed in Annexure –(1), of these Regulations and will be valid for a period of five years from the date of issue, unless revoked earlier, and shall be renewable on its expiry subject to fulfilment of terms and conditions by the Licensee and on payment of fee prescribed for renewable.

4. Criteria for issue of License

a. The eligible applicant for obtaining the license means the person/entities as defined in regulation-2 clause (x) of these Regulations.b. The applicant should own leak-proof, odour and spill proof transporting vehicle (s) with a proper vacuum/ suction and discharging arrangement.c. The vehicle will have a valid permit of the Transport Department to operate in Delhi.d. The applicant shall have workers adequately trained for this purpose.e. The workers shall be equipped with safety gears and other protective equipment required to safely collect, transport and dispose of the Septage at the notified locations.

5. Application for License

The application for obtaining License for collection, transportation and disposal of Septage shall be submitted in prescribed format appended as annexure Annexure –(2) including Terms and Conditions and with such documents as prescribed by the Designated Officer (s) of Delhi Jal Board.

6. Invitation of Applicants to apply for License.

Delhi Jal Board shall give wide publicity on its web site and through leading Newspapers and other print and electronic media periodically, inviting prospective applicants to apply for the License.

7. Application Fee for the License

Delhi Jal Board shall charge application fee as prescribed from time-to-time for processing the application to grant the License. The fee will be Non-refundable and the same can be paid electronically or by Demand Draft in favour of Delhi Jal Board.

8. Performance Guarantee.

The Licensee shall deposit prescribed amount, notified from time-to-time as performance Guarantee, in the form of Bank Guarantee which will be forfeited in case of any violation under the Regulations.

9. Publicity of the Licensed Vendor(s).

The Delhi Jal Board will periodically give wide publicity to the Agencies on its website as well as through print and electronic media, who have been granted License under these Regulations to undertake the work of collections and transportation of Septage.

10. Awareness Campaign

The Delhi Jal Board will undertake an awareness campaign to make the people aware of these Regulations as well as the need to engage only the Licensed agencies for collection, transportation and disposal of Septage

Chapter 3

11. COLLECTION AND TRANSPORTATION OF SEPTAGE

Septic Tank Waste (Septage) shall be collected and transported only by vendor(s) having a valid License for this purpose issued by the Delhi Jal Board in the format prescribed at Annexure-(1) of these Regulations.

12. Owner/occupier of Building to engage only Licensed vendor(s).

(a) It shall be the duty of each owner/occupier of the building to engage the services of only those vendor(s) who has been issued License by the Delhi Jal Board for collection and transportation of Septage. (b) The owner/occupier shall confirm that the License issued to the vendor(s) is valid on the date of execution of work. She/he shall also append her/his signature to the collection of septage record form prescribed at Annexure-3 of these Regulations.

13. Fee for Collection/Transportation of Septage.

(a) The fee for collection and transportation of Septage up to notified locations at Sewage Pumping Station(s)/Sewage Treatment Plant(s) shall be as notified by the Designated officer of Delhi Jal Board from time to time. (b) Licensee shall not charge any amount from the Owner/Occupier of the Building in excess to the amount notified from time to time. (c) Any demand for fee for collection and transportation of Septage in excess of the notified fee shall make the Licensee liable for cancellation of License and imposition of penalty prescribed for violation of these Regulations.

14. Vehicles for Transportation of Septage.

The Septage shall be transported only in the Vehicles approved for these purposes by the Designated Officer of Delhi Jal Board.

15. Precautions during Transportation.

The Licensee shall ensure that there will be no leakage/spillage of the Septage during transportation from the collection point to the notified location for disposal.

16. Preventive Measure in Case of Accident.

The vehicle carrying Septage shall be fitted with required equipments to avoid the pollution during the movement of the vehicle from Collection point to the notified disposal location.

17. Liability of Licensee in the Eventuality of Accident.

The Licensee shall be fully and solely liable for any damage cause to any person, vehicles, property and environment in the eventuality of any accident or disaster and shall be liable on its own to pay any damage charges /compensation, if any imposed by the authority /court of law there to, to the victims/their legal heirs.

18. Safety- Measure for the worker(s) deployed.

The Licensee shall be responsible for taking all the Safety Measures including provision of hand held Gas-Detectors, Gas-Masks, Protective-Gear, Oxygen-Mask with Oxygen- Cylinder and First Aid Box etc. and such other Measures as specified in Prohibition of Employment as Manual Scavengers and their Rehabilitation Act-2013 and Rules made there under including these Regulations.

19. Disposal of Septage.

(a)The Licensee shall dispose off Septage only at the locations notified by the Delhi Jal Board from time totime.(b)The Licensee shall submit duly signed Septage collection and disposal form prescribed at Annexure -2 ofthese Regulations duly filled-in to the official of the Delhi Jal Board deployed to receive the Septage at thenotified locations.

20. Training of worker(s).

The Licensee shall be responsible for periodic training of the worker(s) deployed in collection, transportationand disposal of the Septage.

21. Regular Health Check up of worker(s)

The Licensee shall be responsible for ensuring that every worker(s) deployed under goes Health Check-up atleast twice per year and submit record of the same to Delhi Jal Board failing which the licensee shall be liableto pay penalty as notified from time to time .

22. Insurance

The worker(s) deployed by the Licensee shall be insured to cover compensation to be paid to the victims /their legal heirs under IN PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS AND THEIR REHABILITATION Act 2013 & APEX Court's order dated 27-03-2014 in Writ Petition No.583 of 2003(Safai Karamchahi Andolan and Ors. V/s Union of India & Ors.) in the eventuality of accident during the process of Cleaning, Transportation and Disposal of Septage.

23. Cancellation of License.

In case of violation of any of the provisions of IN PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS AND THEIR REHABILITATION Act-2013 including these Regulations, the Licensee shall be liable to pay penalty as notified from time to time, including the Cancellation of license and forfeiture of performance guarantee as per the recommendation of Committee or Designated Officer (s).

Chapter 4

Disposal of Septage

24. Identification of Disposal Sites

The Delhi Jal Board will identify and notify the Sewage Pumping Stations and Sewage Treatment Plants where the Septage shall be disposed of by the License vendor(s).

25. Creation of Infrastructure to Receive the Septage.

The Board will create necessary infrastructure and provide necessary equipments at the notified locations, to facilitate the disposal of Septage brought by the License vendor(s).

26. Deployment of Staff to Receive the Septage

The Delhi Jal Board shall deploy sufficient staff at each notified locations, to receive the Septage and dispose it off through the Sewage Treatment Plants and Sewage Pumping Stations as the case may be.

27. Timing to Receive the Septage

The Septage will be received by the staff deployed by the Delhi Jal Board at each notified location during the hours as notified from time to time.

28. Industrial Waste not to be received.

The disposal of septage containing the Industrial waste shall not be permitted at the notified locations.

29. Training in Septage Management -The staff deployed by Delhi Jal Board at the notified locations will be trained for receiving and disposal of Septage.

Chapter 5

MISCELLANEOUS

30. Display of License and Colour Coding on the Vehicle

(a) A copy of License shall be prominently displayed on the vehicle used for transportation of Septage. (b) The vehicle/ container/tanker shall be painted with Yellow colour duly marked with (the precaution) in Red Colour "SEPTAGE TANK" (in English) and " " (in Hindi).

31. Installation of GPS System

Each Vehicle used for Transportation of Septage shall be fitted with GPS Device and Access Rights of the same shall be given to the respective District Magistrates and the Agency Notified by District Magistrates for tracking of such vehicles.

32. Dispute Resolution Clause

Any dispute, arising out or in the connection with the operation of these regulations, shall be resolved under Indian Laws by competent Court of Law having jurisdiction of Delhi only.